

# *Public Health Legislation from the 2013 California Legislative Session*

Prepared by Pam Willow, December 2013

Legislative Council,  
Alameda County Public Health Department



## Purpose

This document was created to serve as a reference guide for Alameda County Public Health Department (ACPHD) staff and community members. It provides a brief summary of all public health related legislation passed and signed into law during the 2012 session of the California State Legislature and is organized by Health Care Services Agency Departments, Public Health Department Divisions and by the social determinants of health (criminal justice, economic development, income, education, housing land use and transportation). Two new sections were added this year – Climate Change and Immigration. All bills are included only once under the most appropriate category, although many could appropriately be included in more than one category. You may want to browse other sections to make sure you haven't missed a bill that is of importance to you.

The intent of this document is to provide you with background on existing legislation, to help you identify gaps requiring additional legislation, and to motivate you to become active in the legislative process. A more detailed description of all included legislation can be found at [www.leginfo.ca.gov](http://www.leginfo.ca.gov), which was the main source for this document and the bill summaries.

Unless otherwise indicated, all legislation will become effective on January 1, 2014.

## Legislative Council

This document was prepared under the auspices of the Alameda County Public Health Department Legislative Council. The Legislative Council is comprised of twelve active members from the following departments, divisions, and areas: Health Care Services, Behavioral Health Care Services, Environmental Health, Administrative Services, Community Health Services, Communicable Disease Control & Prevention, Emergency Medical Services, Family Health Services, Public Health Nursing, the Office of AIDS, Office of the Director, and Office of the Health Officer. The mission of the Council is to raise awareness of public health issues throughout Alameda County and to develop and implement a locally focused, strategic legislative plan for ensuring that public health policies and programs are based on community needs and interests. We encourage you to participate in the legislative process by helping to shape the legislative priorities of the department, by encouraging the department to adopt a position on legislation, and by developing legislative proposals. You are also welcome to attend one of the Council's bi-weekly meetings to observe the Council's process. For additional information about the Legislative Council contact Pam Willow, the Legislative Council Coordinator, at 208-5905 or [Pam.Willow@acgov.org](mailto:Pam.Willow@acgov.org) or visit us on the web at <http://www.acgov.org/publichealth/>.

## Feedback

We would appreciate any feedback on the usefulness of this document and how it can be improved upon in the future. Please forward any questions or comments to Pam Willow, the Legislative Council Coordinator, at 208-5905 or [Pam.Willow@acgov.org](mailto:Pam.Willow@acgov.org).

## Health Care Services Agency

AB 219	Health care coverage: cancer treatment	8
AB 297	Primary care clinics	8
AB 422	School lunch program applications: health care notice	8
AB 498	Medi-Cal	9
AB 565	California Physician Corps Program	9
AB 620	Health and care facilities: missing patients and participants	10
AB 694	Admissibility of evidence: victims of human trafficking	10
AB 776	Medi-Cal	11
AB 1008	Alameda County Medical Center hospital authority	11
AB 1180	Health care coverage: federally eligible defined individuals: conversion or continuation of coverage	11
AB 1217	Home Care Services Consumer Protection Act	12
AB 1376	Workers' compensation: medical treatment: interpreters	13
AB 1428	California Health Benefit Exchange: employees and contractors	13
ABX1 1	Medi-Cal: eligibility	13
SB 28	California Health Benefit Exchange	14
SB 60	Crime victims: human trafficking	15
SB 67	In-home supportive services	16
SB 101	Health	17
SB 138	Confidentiality of medical information	18
SB 282	Confidential medical information: required authorization to disclose	18
SB 332	California Health Benefit Exchange: records	19
SB 352	Medical assistants: supervision	19
SB 353	Health care coverage: language assistance	19
SB 494	Health care providers	20
SB 509	California Health Benefit Exchange: background checks	20
SB 534	Health and care facilities	21
SB 563	Office of Statewide Health Planning and Development: hospital construction	21
SB 612	Residential tenancy: victims of human trafficking and elder or dependent adult abuse	21
SB 639	Health care coverage	22
SB 800	Health care coverage programs: transition	23
SBX1 1	Medi-Cal: eligibility	23
SBX1 3	Health care coverage: bridge plan	25

## Behavioral Health Care Services

AB 361	Medi-Cal: Health Homes for Medi-Cal Enrollees and Section 1115 Waiver Demonstration Population with Chronic and Complex Conditions	26
AB 402	Disability income insurance: mental illness	26
AB 404	Healing arts: behavioral sciences: retired licenses	26
AB 428	Healing arts: marriage and family therapists: clinical social workers: coursework	26
AB 451	Healing arts: therapists and counselors: licensing	27
AB 635	Drug overdose treatment: liability	28
AB 1054	Mental health: skilled nursing facility: reimbursement rate	28
SB 243	Professional clinical counselors	29
SB 364	Mental health	29
SB 585	Mental health: Mental Health Services Fund	30

**Environmental Health Services**

AB 21	Safe Drinking Water Small Community Emergency Grant Fund	31
AB 30	Water quality	31
AB 115	Safe Drinking Water State Revolving Fund	31
AB 118	Safe Drinking Water State Revolving Fund	32
AB 119	Water treatment devices	32
AB 120	Underground storage tanks: school districts	33
AB 227	Proposition 65: enforcement	33
AB 304	Pesticides: toxic air contaminant: control measures	34
AB 324	Glass beads: lead and arsenic	34
AB 425	Pesticides: copper-based antifouling paint: leach rate determination: mitigation measure recommendations	35
AB 426	Water: water transfers: water right decrees	35
AB 440	Hazardous materials: releases: local agency cleanup	35
AB 803	Water Recycling Act of 2013	36
AB 850	Public capital facilities: water quality	36
AB 1126	Solid waste: engineered municipal solid waste (EMSW) conversion	37
AB 1168	Safe body art	37
AB 1252	Retail food safety	38
AB 1329	Hazardous waste	39
AB 1390	Milk products: pasteurization: goat milk	40
AB 1398	Solid waste: recycling: enforcement agencies	40
AB 1400	Export documents: expiration	41
SB 4	Oil and gas: well stimulation	41
SB 54	Hazardous materials management: stationary sources: skilled and trained workforce	43
SB 254	Solid waste: used mattresses: recycling and recovery	43
SB 483	Hazardous materials: business and area plans	44
SB 667	Retail sale of shelled eggs	45

**Community Health Services**

AB 191	CalFresh: categorical eligibility	46
AB 224	Agricultural products: direct marketing: community-supported agriculture	46
AB 309	CalFresh: homeless youth	47
AB 346	Runaway and homeless youth shelters	47
AB 352	Foster care: smoke-free environment	48
AB 525	Alcoholic beverages: licenses: theaters	48
AB 551	Local government: urban agriculture incentive zones	48
AB 626	School nutrition	49
AB 636	Alcoholic beverages: tied-house restrictions	51
AB 647	The Alcoholic Beverage Control Act: beer manufacturers: containers	52
AB 654	Direct marketing: certified farmers' markets	52
AB 779	Alcoholic beverages	53
AB 836	Dentists: continuing education	53
AB 873	Housing: emergency housing and assistance funding	53
AB 933	Distilled spirits manufacturers: licenses: tastings	54
AB 1116	Alcoholic beverages: licensees	54
AB 1425	Alcoholic beverages	55
SB 116	Personal income taxes: voluntary contributions: Emergency Food Assistance	

	Program	55
SB 562	Dentists: mobile or portable dental units	55
SB 672	CalFresh: eligibility: guidelines	56
SB 818	Alcoholic beverages	56

#### **Division of Communicable Diseases**

AB 446	HIV Testing	57
AB 506	HIV testing: infants	57
AB 1215	Clinical laboratories	58
SB 249	Public health: health records: confidentiality	58
SB 294	Sterile drug products	59

#### **Emergency Medical Service**

AB 535	Emergency Alert System	60
AB 633	Emergency medical services: civil liability	60
AB 918	Emergency services: preparedness	60
SB 135	Earthquake early warning system	60
SB 191	Emergency medical services	61
SB 669	Emergency medical care: epinephrine auto-injectors	61

#### **Family Health Services**

AB 154	Abortion	63
AB 406	Child abuse reporting	63
AB 413	Foster care: specialized foster care homes	64
AB 602	Mentally and developmentally disabled persons: reporting abuse	64
AB 652	Child Abuse and Neglect Reporting Act: homeless children	65
AB 906	Personal services contracts	65
AB 980	Primary care clinics: abortion	65
AB 1000	Physical therapists: direct access to services: professional corporations	65
AB 1041	Developmental services: Employment First Policy	66
AB 1108	Sex offenders: foster care homes: prohibitions	67
AB 1133	Foster children: special health care needs	67
AB 1232	Developmental services: quality assessment system	67
AB 1308	Midwifery	68
SB 126	Health care coverage: pervasive developmental disorder or autism	69
SB 129	Deaf and disabled telecommunications program	69
SB 208	Public social services: contracting	70
SB 342	Foster children: social worker: visits	70
SB 367	Developmental services: regional centers cultural and linguistic competency	71
SB 402	Breastfeeding	71
SB 460	Prenatal testing program: education	71
SB 468	Developmental services: statewide Self-Determination Program	71
SB 522	Foster Family Home and Small Family Home Insurance Fund	72
SB 555	Developmental services: regional centers: individual program plans and individualized family service plans	72
SB 651	Developmental centers and state hospitals	73

SB 816	Hospice facilities: developmental disabilities: intellectual disability	73
--------	---	----

## Public Health Administration

AB 464	Vital records	75
AB 1028	Vocational nursing: interim permits	75
SB 271	Associate Degree Nursing Scholarship Program	75

## Climate Change

AB 8	Alternative fuel and vehicle technologies funding programs	76
AB 217	Electricity: solar electricity: low-income households	77
AB 266	Vehicles: high-occupancy vehicle lanes	78
AB 341	Green building standards	78
AB 628	Energy management plans for harbor and port districts	79
AB 792	Utility user tax: exemption: distributed generation systems	79
AB 1092	Building standards: electric vehicle charging infrastructure	79
SB 43	Electricity: Green Tariff Shared Renewables	80
SB 73	Energy: Proposition 39 implementation	80
SB 286	Vehicles: high-occupancy vehicle lanes	81
SB 359	Vehicles: retirement and replacement	82
SB 454	Public resources: electric vehicle charging stations	82
SB 459	Vehicle retirement: low-income motor vehicle owners	83
SB 591	Renewable energy resources: local publicly owned electric utility: hydroelectric generation facility	83
SB 726	California Global Warming Solutions Act of 2006: Western Climate Initiative, Incorporated	84

## Criminal Justice and Public Safety

AB 48	Firearms: large-capacity magazines	85
AB 68	Parole	85
AB 81	Public safety: domestic violence	85
AB 139	Domestic violence: fees	85
AB 161	Restraining orders	86
AB 170	Assault weapons and .50 BMG rifles	86
AB 176	Family law: protective and restraining orders	86
AB 218	Employment applications: criminal history	86
AB 231	Firearms: criminal storage	87
AB 492	Probation: nonviolent drug offenses	87
AB 494	Prisoners: literacy and education	87
AB 500	Firearms	88
AB 538	Firearms	88
AB 539	Firearm possession: prohibitions: transfer to licenses dealer	90
AB 624	County jail: rehabilitation credits	90
AB 631	Pupils: juvenile court schools	90
AB 651	Convictions: expungement	91
AB 703	Peace officers: firearms	91

AB 720	Inmates: health care enrollment	91
AB 986	Postrelease community supervision: flash incarceration: city jails	92
AB 1004	Criminal procedure	92
AB 1006	Juvenile court records: sealing and destruction	93
AB 1019	State prisons: correctional education and vocational training	93
AB 1131	Firearms	93
SB 105	Corrections	94
SB 127	Firearms: mentally disordered persons	96
SB 140	Firearms: prohibited persons	96
SB 260	Youth offender parole hearings	97
SB 326	Sex offenders	98
SB 363	Firearms: criminal storage: unsafe handguns: fees	98
SB 458	Gangs: statewide database	98
SB 513	Diversion programs: sealed records	99
SB 530	Criminal offenders: rehabilitation	99
SB 569	Interrogation: electronic recordation	99
SB 602	Child abuse prevention, intervention, and treatment projects	100
SB 618	Wrongful convictions	100
SB 683	Firearms: firearm safety certificate	101

### **Economic Development and Income**

AB 10	Minimum wage: annual adjustments	103
AB 93	Economic development: taxation: credits, deductions, exemptions, and net operating losses	103
AB 106	Economic development: taxation: credits	104
AB 241	Domestic work employees: labor standards	104
AB 419	CalWORKs: eligibility	105
AB 442	Employees: wages	105
AB 562	Economic development subsidies: review by local agencies	105
AB 1094	CalWORKs: eligibility	105
AB 1220	Consumer credit reporting: adverse action	106
AB 1336	Prevailing wages: payroll records	106
SB 90	Economic development: taxation: credits: exemption	107
SB 252	CalWORKs: welfare-to-work requirements	108
SB 288	Employment protections: time off	108
SB 292	Employment: sexual harassment	109
SB 318	Consumer loans: Pilot Program for Increased Access to Responsible Small Dollar Loans	109
SB 470	Community development: economic opportunity	110
SB 666	Employment: retaliation	110
SB 770	Unemployment compensation: disability benefits: paid family leave	111
SB 776	Public works: prevailing wage rates: employer payment credits	112

### **Education**

AB 123	Pupil instruction: social sciences: farm labor movement: Filipinos	113
AB 166	Pupil instruction: financial literacy	113
AB 182	Bonds: school districts and community college districts	113
AB 216	High school graduation requirements: pupils in foster care	114

AB 256	Pupils: grounds for suspension and expulsion: bullying	114
AB 274	Child care and development services	115
AB 290	Child day care: childhood nutrition training	115
AB 449	Elementary and secondary education: certificated school employees: allegation of misconduct: reports to Commission on Teacher Credentialing	116
AB 484	Pupil assessments: Measurement of Academic Performance and Progress (MAPP)	116
AB 514	The Safe Schools for Safe Learning Act of 2013	117
AB 547	21 <sup>st</sup> Century High School After School Safety and Enrichment for Teens program	117
AB 549	Comprehensive school safety plans: mental health professionals and police role on campus guidelines	117
AB 595	Community colleges: priority enrollment	118
AB 700	Pupil instruction: voter education	118
AB 899	Academic content standards: English language development standards	118
AB 1068	Pupil records	119
AB 1266	Pupil rights: sex-segregated school programs and activities	119
SB 5	Teacher credentialing	119
SB 97	School finance: local control funding formula	120
SB 177	Homeless Youth Education Success Act	124
SB 195	California postsecondary education: state goals	125
SB 201	Instructional materials: academic content standards: English learners	125
SB 247	Pupil assessment: grade 2 diagnostic assessments	126
SB 300	Instructional materials: revised curriculum frameworks: science and English language arts	126
SB 330	Pupil instruction: health framework: mental health instruction	127
SB 379	School attendance: early and middle college high schools	127
SB 440	Public postsecondary education: Student Transfer Achievement Reform Act	127
SB 490	Early Assessment Program: common core academic content standards	128
SB 552	Pupil instruction: violence awareness	128
SB 584	School facilities: financial and performance audits	129
SB 590	School personnel: professional development for classified school employees	129
SB 595	Postsecondary education: financial aid	129

## Housing

AB 532	Local Housing Trust Fund	130
AB 637	Housing assistance	130
AB 952	Low-income housing tax credits	130
AB 984	The California Housing Finance Agency	131
AB 1109	Emergency housing and assistance	132
SB 310	Mortgages: foreclosure notices: title companies	132
SB 347	Youth shelters: funding	132
SB 488	Substandard housing: regulations	133
SB 745	Housing	133

## Immigration

AB 4	State government: federal immigration policy	135
AB 35	Deferred action for childhood arrivals	135



AB 60	Driver's licenses: eligibility: required documentation	136
AB 263	Employment: retaliation: immigration-related practices	136
AB 524	Immigrants: extortion	138
AB 1159	Immigration services	138
SB 141	Postsecondary education benefits: children of deported or voluntarily departed parents	139

### **Land Use and Transportation**

AB 164	Infrastructure financing	140
AB 325	Land use and planning: cause of actions: time limitations	140
AB 401	Transportation: design-build: highways	140
AB 417	Environmental quality: California Environmental Quality Act: bicycle transportation plan	141
AB 466	Federal transportation funds	141
AB 1070	California Transportation Financing Authority	141
AB 1112	Transportation transactions and use taxes: Bay Area	142
SB 99	Active Transportation Program	142
SB 341	Redevelopment	143
SB 788	Transportation	144

## Health Care Services Agency

### AB 219 *Health care coverage: cancer treatment*

Perea Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for all generally medically accepted cancer screening tests and requires those contracts and policies to also provide coverage for the treatment of breast cancer. Existing law imposes various requirements on contracts and policies that cover prescription drug benefits. This bill would prohibit an individual or group health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2015, that provides coverage for prescribed, orally administered anticancer medications used to kill or slow the growth of cancerous cells from requiring an enrollee or insured to pay, notwithstanding any deductible, a total amount of copayments and coinsurance that exceeds \$200 for an individual prescription of up to a 30-day supply of a prescribed orally administered anticancer medication. The bill would provide that for a health care service plan contract or health insurance policy that meets a specified federal definition of a high deductible health plan, this prohibition shall only apply once the enrollee's or insured's deductible has been satisfied for the year. The bill would authorize a health care service plan or health insurer, on January 1, 2016, and on January 1 of each year thereafter, to increase the \$200 limit by the percentage increase in the Consumer Price Index for that year. The bill would repeal these provisions on January 1, 2019.

### AB 297 *Primary care clinics*

Chesbro Existing law requires the State Department of Public Health to license, regulate, and inspect clinics, as defined, including primary care clinics, as defined. Existing law authorizes a primary care clinic to submit verification of certification from the Joint Commission, formerly known as the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), to the Licensing and Certification Division within the department for entry into the electronic Licensing Management System for purposes of data collection and extraction for licensing and certification fee calculations. This bill would additionally authorize a primary care clinic to submit verification of certification from the Accreditation Association for Ambulatory Health Care or any other accrediting organization recognized by the department to the Licensing and Certification Division for those purposes.

### AB 422 *School lunch program applications: health care notice*

Nazarian Existing law creates various programs to provide health care services to persons who have limited incomes and meet various eligibility requirements. These programs include the Healthy Families Program administered by the Managed Risk Medical Insurance Board, and the Medi-Cal program administered by the State Department of Health Care Services. Existing law provides for a school lunch program under which eligible pupils receive free or reduced-price meals. Existing law authorizes the sharing of the school lunch program application with the county agency administering the Medi-Cal program for use in making an accelerated Medi-Cal eligibility determination for pupils eligible for free meals. Existing law provides for the sending of a Healthy Families Program application to pupils determined to be ineligible for Medi-Cal coverage. This bill would, commencing January 1, 2014, require the notices to include prescribed advisements about the availability of free or reduced-cost comprehensive health care coverage through Medi-Cal or the California Health Benefit Exchange, respectively. The bill would authorize a school district also to include the notices in certain notifications required at the beginning of the first semester or quarter of the regular school term. The bill would require a county that receives the information provided on a school lunch program application, for a pupil who is not already enrolled in a health insurance affordability program, to treat the school lunch

program application as an application for a health insurance affordability program, as specified.

AB 498  
Chavez

*Medi-Cal*

(1) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. Existing law provides that a health facility is eligible to receive supplemental reimbursement under the Medi-Cal program if the facility has specified characteristics, including that the facility is owned or operated by the state, a county, a city, a city and county, or a health care district. Existing law prohibits claimed expenditures for specified nursing facility services, when combined with the amount received from all other sources of reimbursement from the Medi-Cal program, from exceeding 100% of projected costs, as determined pursuant to the Medi-Cal State Plan, for skilled nursing services at each facility. This bill would, instead, prohibit those claimed expenditures from exceeding 100% of allowable costs. The bill would require that supplemental reimbursement be subject to a reconciliation process established in the state plan to ensure that supplemental reimbursement is not made in excess of allowable costs, and to ensure that it is made up to allowable costs. (2) The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law, subject to federal approval, modifies the inpatient fee-for-service reimbursement methodology for nondesignated public hospitals, as defined, under a specified demonstration project for services on or after July 1, 2012. Existing law provides that beginning with the 2012-13 fiscal year, and if specified conditions are met, nondesignated public hospitals, or governmental entities with which the hospitals are affiliated, shall be eligible to receive safety net care pool payments for uncompensated care from the Health Care Support Fund. Existing law provides that these provisions shall become operative on the date that all necessary federal approvals have been obtained to implement these and other related provisions. Existing law requires designated public hospitals to report and certify specified information for each successor demonstration year beginning with the 2012-13 fiscal year. This bill would revise and recast those provisions. This bill would instead authorize the department to seek necessary federal approvals or waivers to separately implement the safety net care pool payments for uncompensated care provisions for the 2013-14 and 2014-15 fiscal years. The bill would require the state, if the state receives federal safety net care pool funds for uncompensated care under these provisions, to retain 1/2 of the funds for Medi-Cal related expenditures. (3) Under existing law, nondesignated public hospitals may receive fee-for-service payments for inpatient services, as specified. Under existing law, beginning with the 2012-13 fiscal year, subject to federal approval and if specified conditions are met, nondesignated public hospitals may receive delivery system reform incentive pool funding, as specified. This bill would eliminate those provisions.

AB 565  
Salas

*California Physician Corps Program*

Existing law establishes the Steven M. Thompson Physician Corps Loan Repayment Program in the California Physician Corps Program within the Health Professions Education Foundation, which provides financial incentives, as specified, to a physician and surgeon for practicing in a medically underserved community. Existing law authorizes the Office of Statewide Health Planning and Development to adopt guidelines by regulation and requires the foundation to use guidelines for selection and placement of program applicants. These guidelines provide priority consideration to applicants who meet specified criteria, including that the applicant has 3 years of experience working in medically underserved areas or with medically underserved populations. The guidelines also must seek to place the most qualified applicants in the areas with the greatest need. This bill would delete the requirement that the guidelines seek to place the most qualified applicants in the areas of greatest need. The bill would require the guidelines for the selection and placement of program applicants to include criteria that would give priority consideration to program applicants who have 3 years of experience providing health care services to medically underserved populations or in a medically underserved area, as defined. The bill would require the guidelines to give priority to applicants who agree to practice in those

areas and serve a medically underserved population, and would require the guidelines to give priority consideration to applicants from rural communities who agree to practice in a physician owned and operated medical practice setting, as defined. Existing law requires the foundation, in consultation with the Medical Board of California, Office of Statewide Planning and Development, and an advisory committee, to use guidelines developed by the Medical Board of California for selection and placement of applicants until the office adopts other guidelines by regulation. This bill would instead require the foundation and the office to develop guidelines using specified criteria for selection and placement of applicants. Existing law defines “practice setting,” for these purposes, to include a community clinic, as defined, a clinic owned and operated by a public hospital and health system, or a clinic owned and operated by a hospital that maintains the primary contract with a county government to fulfill the county’s role to serve its indigent population and that is located in a medically underserved area and has at least 50% of its patients from that population. Existing law also defines “practice setting,” for these purposes, to include a medical practice located in a medically underserved area and at least 50% of whose patients are from a medically underserved population. This bill would delete the latter definition and instead include a physician owned and operated medical practice setting that provides primary care located in a medically underserved area and has a minimum of 50% of patients who are uninsured, Medi-Cal beneficiaries, or beneficiaries of another publicly funded program that serves patients who earn less than 250% of the federal poverty level, within this definition of “practice setting.”

**AB 620**      *Health and care facilities: missing patients and participants*

**Buchanan**      Existing law provides for the licensure and regulation of the health facilities, as defined. Existing law requires certain types of health facilities, such as acute care hospitals and skilled nursing facilities, to develop, implement, and comply with a patient safety plan for the purpose of improving the health and safety of patients and reducing preventable patient safety events, as specified. A person who violates the provisions governing health facilities is guilty of a misdemeanor, as specified. The Community Care Facilities Act provides for the licensure and regulation of community care facilities, as defined, including residential facilities and facilities that provide adult day programs. A person who violates the act is guilty of a misdemeanor. Existing law, the California Residential Care Facilities for the Elderly Act, requires the State Department of Social Services to license and regulate residential care facilities for the elderly, as defined. A person who violates the act is guilty of a misdemeanor. Existing law, the California Adult Day Health Care Act, provides for the licensure and regulation of adult day health care centers, as defined, by the State Department of Public Health. A person who negligently, repeatedly, or willfully violates the act is guilty of a misdemeanor. This bill would require specified health facilities, including various kinds of intermediate care facilities, congregate living health facilities, and skilled nursing facilities, community care facilities providing adult residential care or offering adult day programs, residential care facilities for the elderly, and adult day health care centers to develop and comply with an absentee notification plan for the purpose of addressing issues that arise when a patient, resident, or participant, as applicable, is missing from the facility. The bill would require the plan to include and be limited to a requirement that an administrator of the facility, or his or her designee, inform the patient’s, resident’s, or participant’s authorized representative when that patient, resident, or participant is missing from the facility, except under specified circumstances, and the circumstances in which an administrator of the facility, or his or her designee, shall notify local law enforcement. Because violations of these provisions would be misdemeanors, the bill would impose a state-mandated local program.

**AB 694**      *Admissibility of evidence: victims of human trafficking*

**Bloom**      Existing law prohibits the admissibility of evidence that a victim of human trafficking, as defined, has engaged in any commercial sexual act as a result of being a victim of human trafficking in order to prove the victim’s criminal liability for any conduct related to that

activity. This bill would instead prohibit the admissibility of evidence that a victim has engaged in any commercial sexual act as a result of being a victim of human trafficking in order to prove the victim's criminal liability for the commercial sexual act.

**AB 776**      *Medi-Cal*  
**Yamada**      Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires, to the extent that federal financial participation is available, and pursuant to a demonstration project or waiver of federal law, the department to establish specified pilot projects in up to 8 counties, and requires long-term services and supports, as defined, to be available to beneficiaries residing in Coordinated Care Initiative counties, as specified. In implementing the requirements that beneficiaries residing in Coordinated Care Initiative counties be provided long-term services and supports, existing law requires the department to consult stakeholders. For the purposes of existing law, specified terms are defined. This bill would additionally define the term "stakeholder" to include area agencies on aging and independent living centers. The bill would also make related conforming changes.

**AB 1008**      *Alameda County Medical Center hospital authority*  
**Buchanan**      Existing law authorizes the board of supervisors of Alameda County to establish an independent hospital authority strictly and exclusively dedicated to the management, administration, and control of the Alameda County Medical Center, and sets forth the powers and duties of the hospital authority, including, but not limited to, the power to contract for services required to meet its obligations. This bill would prohibit the hospital authority from entering into any contract with any private person or entity before January 1, 2024, to replace services being provided by physicians and surgeons who are employed by the hospital authority and in a recognized collective bargaining unit as of March 31, 2013, with services provided by a private person or entity without clear and convincing evidence that the needed medical care can only be delivered cost-effectively by a private contractor. The bill would require that the authority, prior to entering into a contract for any of those services, negotiate with the representative of the recognized collective bargaining unit of its physician and surgeon employees over the decision to privatize, and would require unresolved disputes to be submitted to final binding arbitration. Existing law establishes the hospital authority as a district for the purposes of providing retirement benefits under the County Employees Retirement Law of 1937 and provides that employees of the hospital authority are eligible to participate in the county employees' retirement system to the extent permitted by law. Existing law establishes the Alameda County Employees' Retirement Association as a retirement system pursuant to the provisions of the County Employees Retirement Law of 1937. This bill would limit the participation of certain employees of the hospital authority, including those who are employees of a facility that is acquired by, or merged into, the hospital authority, in the Alameda County Employees' Retirement Association, subject to specified criteria. This bill would make legislative findings and declarations as to the necessity of a special statute for resolving the unique needs faced by the county with respect to the operation and administration of the medical center. This bill would declare that it is to take effect immediately as an urgency statute.

**AB 1180**      *Health care coverage: federally eligible defined individuals: conversion or continuation of coverage*  
(1) Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Insurance Commissioner. Existing law requires a health care service plan or a health insurer offering individual plan contracts or individual insurance policies to fairly and affirmatively offer, market, and sell certain individual contracts and policies to all federally

eligible defined individuals, as defined, in each service area in which the plan or insurer provides or arranges for the provision of health care services. Existing law prohibits the premium for those policies and contracts from exceeding the premium paid by a subscriber of the California Major Risk Medical Insurance Program who is of the same age and resides in the same geographic region as the federally eligible defined individual, as specified. This bill would make these provisions of law applicable only to individual grandfathered health plans, as defined, previously issued to federally eligible defined individuals, unless and until specified provisions of the federal Patient Protection and Affordable Care Act (PPACA) are amended or repealed, as specified. The bill would also require a health care service plan or an insurer, at least 60 days prior to the plan or policy renewal date, to issue prescribed notifications to a person who is enrolled in an individual health benefit plan or individual health insurance policy that is not a grandfathered health plan. The bill would also impose the notification requirement for individuals who are covered under the California Major Risk Medical Insurance Program. Because a willful violation of this requirement by a health care service plan would be a crime, the bill would impose a state-mandated local program. (2) Existing law establishes a formula establishing the upper limit for premium charges for health care plans and health insurance. Existing law authorizes the plan and insurer to adjust the premium based on family size, as specified. This bill, after January 1, 2014, and until January 1, 2020, instead of the current formula, would limit the premium charged for coverage provided in 2014 to the rate charged in 2013 multiplied by 1.09 and would limit the rate of growth thereafter, as specified. (3) Existing law requires a health care service plan or health insurer to offer continuation or conversion of individual or group coverage for a specified period of time and under certain circumstances. The bill would make those provisions inoperative, unless and until specified provisions of PPACA are amended or repealed, as specified, and would make conforming changes.

**AB 1217**     *Home Care Services Consumer Protection Act*

**Lowenthal** Existing law provides for the In-Home Supportive Services (IHSS) program, a county-administered program under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. The IHSS program includes various eligibility requirements for individuals who provide services to recipients under the program. Under existing law, a private provider of in-home care services is not subject to the requirements of the IHSS program. Existing law provides for the licensing and regulation of various community care facilities by the State Department of Social Services. This bill would enact the Home Care Services Consumer Protection Act, which would provide, on and after January 1, 2015, for the licensure and regulation of home care organizations, as defined, by the State Department of Social Services, and the registration of home care aides. The bill would exclude specified entities from the definition of a home care organization and would not include certain types of individuals as home care aides for the purposes of these provisions. This bill would require the department to establish and continuously update a home care aide registry, which would include specified information relating to home care aide applicants and registered home care aides. This bill would require background clearances for home care aides, as prescribed, and would set forth specific duties of the home care organization, the department, and the Department of Justice in this regard. The bill would require a home care aide applicant to submit to the Department of Justice a signed declaration under penalty of perjury regarding any prior criminal convictions. The bill would require home care aides to demonstrate they are free of active tuberculosis. The bill would require the department to impose various fees to be deposited in the Home Care Fund to be created by this bill. This bill, in addition, would prescribe enforcement procedures, fines, and penalties for violations of the act by a home care organization or a home care aide. The bill would require any fines and penalties collected under these provisions to be deposited into the Home Care Penalties Subaccount within the Home Care Fund to be created by this bill. This bill would provide that it is a misdemeanor for a person to falsely represent or present himself or herself as a home care aide applicant or registered home care aide. The bill would also provide that any person who violates these provisions or willfully or repeatedly violates a rule or regulation promulgated under these provisions is guilty of a misdemeanor.

- AB 1376 *Workers' compensation: medical treatment: interpreters*  
Roger Hernandez Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, that generally requires employers to secure the payment of workers' compensation for injuries incurred by their employees that arise out of, or in the course of, employment. Existing law requires an employer to provide all medical services reasonably required to cure or relieve the injured worker from the effects of the injury. Under existing law, if the injured employee cannot effectively communicate with his or her treating physician because he or she cannot proficiently speak or understand the English language, the injured employee is entitled to the services of a qualified interpreter during medical treatment appointments. Existing law requires that, to be a qualified interpreter for these purposes, a person meet any requirements established by rule by the administrative director, as specified. This bill would provide that the requirement that a person meet any requirements established by the administrative director in order to be a qualified interpreter commences on March 1, 2014. This bill would also make technical, nonsubstantive changes. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 1428 *California Health Benefit Exchange: employees and contractors*  
Conway Under the federal Patient Protection and Affordable Care Act (PPACA), each state is required, by January 1, 2014, to establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing state law establishes the California Health Benefit Exchange (Exchange) within state government, specifies the powers and duties of the board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Existing law requires the board to employ necessary staff and authorizes the board to enter into contracts. Existing law requires the board, consistent with federal guidance applicable to state-based exchanges, to submit to the Department of Justice fingerprint images and related information of specified individuals whose duties include or would include access to confidential information, personal identifying information, personal health information, federal tax information, financial information, or any other information as required by federal law or guidance applicable to state-based exchanges for the purposes of obtaining information as to the existence and content of a record of state or federal convictions and information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her recognizance pending trial or appeal. This bill would revise these provisions to require that the fingerprint images and related information be submitted to the Department of Justice consistent with the federal Centers for Medicare and Medicaid Services (CMS), Catalog of Minimum Acceptable Risk Standards for Exchanges (MARS-E), Exchange Reference Architecture Supplement version 1.0, issued on August 12, 2012, or further updates, guidance, or regulations, for those individuals whose duties include or would include access to the specified information contained in the information systems and devices of the Exchange. This bill would declare that it is to take effect immediately as an urgency statute.
- ABX1 1 *Medi-Cal: eligibility*  
John A. Perez Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified adults and would require that income eligibility be determined based on modified adjusted gross income (MAGI), as prescribed. The bill would prohibit the use of an asset or resources test for individuals whose financial eligibility for Medi-Cal is determined based on the application of MAGI. The bill

would require that individuals who are enrolled in the Low Income Health Program as of December 31, 2013, under a specified waiver who are at or below 133% of the federal poverty level be transitioned directly to the Medi-Cal program, as prescribed. The bill would provide that the implementation of the optional expansion of Medi-Cal benefits to adults who meet specified eligibility requirements shall be contingent on the federal medical assistance percentage (FMAP) payable to the state under the Affordable Care Act is not being reduced below specified percentages, as specified. Because counties are required to make Medi-Cal eligibility determinations and this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program. The bill would require the California Health Benefit Exchange (Exchange) to implement a workflow transfer protocol, as prescribed, for persons calling the customer service center operated by the Exchange for the purpose of applying for an insurance affordability program, to ascertain which individuals are potentially eligible for Medi-Cal. This bill would also prescribe the authority the department, the Exchange, and the counties would have, until July 1, 2015, to perform Medi-Cal eligibility determinations. The bill would require the department to verify the accuracy of certain information that is provided as part of the application or redetermination process when determining whether an individual is eligible for Medi-Cal benefits, as prescribed. The bill would require the department, any other government agency that is determining eligibility for, or enrollment in, the Medi-Cal program or any other program administered by the department, or collecting protected information for those purposes, and the Exchange to share specified information with each other as necessary to enable them to perform their respective statutory and regulatory duties under state and federal law. Existing law requires an applicant or beneficiary, as specified, who resides in an area served by a managed health care plan or pilot program in which beneficiaries may enroll, to personally attend a presentation at which the applicant or beneficiary is informed of managed care and fee-for-service options for receiving Medi-Cal benefits. Existing law requires the applicant or beneficiary to indicate in writing his or her choice of health care options and provides that if the applicant or beneficiary does not make a choice, he or she shall be assigned to and enrolled in an appropriate Medi-Cal managed care plan, pilot project, or fee-for-service case management provider providing service within the area in which the beneficiary resides. Existing law requires the department to develop a program, as specified, to implement these provisions. This bill would revise these provisions to, among other things, require the department to develop a program to allow individuals or their authorized representatives to select Medi-Cal managed care plans via the California Healthcare Eligibility, Enrollment, and Retention System (CalHEERS). Existing law requires Medi-Cal beneficiaries, with some exceptions, to file semiannual status reports to ensure that beneficiaries make timely and accurate reports of any change in circumstance that may affect their eligibility and requires, with some exceptions, a county to promptly redetermine eligibility whenever a county receives information about changes in a beneficiary's circumstances that may affect eligibility for Medi-Cal benefits. This bill would, commencing January 1, 2014, revise these provisions to, among other things, delete the semiannual status report requirement and require a county to perform redeterminations every 12 months. The bill would require any forms signed by the beneficiary for purposes of redetermining eligibility to be signed under penalty of perjury.

**SB 28**      *California Health Benefit Exchange*

**Hernandez**      (1) Existing law establishes the California Major Risk Medical Insurance Program (MRMIP), which is administered by the Managed Risk Medical Insurance Board (MRMIB), to provide major risk medical coverage to persons who, among other things, have been rejected for coverage by at least one private health plan. Under the federal Patient Protection and Affordable Care Act (PPACA), each state is required, by January 1, 2014, to establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing state law establishes the California Health Benefit Exchange (Exchange) within state government, specifies the powers and duties of the board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Existing law also requires the



board to undertake activities necessary to market and publicize the availability of health care coverage and federal subsidies through the Exchange and to undertake outreach and enrollment activities. This bill would require MRMIB to provide the Exchange, or its designee, with specified information of subscribers and applicants of MRMIP in order to assist the Exchange in conducting outreach to those subscribers and applicants. The bill would require the board governing the Exchange to provide a specified notice informing those subscribers and applicants that they may be eligible for reduced-cost coverage through the Exchange or no-cost coverage through Medi-Cal. (2) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Chapters 3 and 4 of the First Extraordinary Session of 2013-14, to be effective on the 91st day after adjournment of that session, implement various provisions of PPACA relating to determining eligibility for the Medi-Cal program. This bill would authorize the department to implement some of those provisions by, among other things, all-county letters, until the time any necessary regulations are adopted. The bill would require the department to adopt regulations implementing those provisions by July 1, 2017. (3) Existing law, to be effective on the 91st day after adjournment of the First Extraordinary Session of 2013-14, requires the department, commencing January 1, 2014, to develop a program to implement provisions that would authorize individuals or their authorized representatives to select Medi-Cal managed care plans via the California Healthcare Eligibility, Enrollment, and Retention System (CalHEERS), as specified. In this regard, the program is required to include training of specialized county employees to carry out the program. This bill would, instead, require the program to include training of individuals, including county human services staff, to carry out the program. (4) Existing law requires the department to establish and maintain a County Administrative Cost Control Plan under which costs for county administration for the determination of eligibility for benefits are controlled, as specified. Existing law requires the department to develop and implement a new budgeting methodology for Medi-Cal county administrative costs to be used to reimburse counties for eligibility determinations for applicants and beneficiaries, and requires that the budgeting methodology include identification of the costs of eligibility determinations for applicants, and the costs of eligibility redeterminations and case maintenance activities for recipients, for different groupings of cases. This bill would instead provide that the budgeting methodology may include identification of the costs of eligibility determinations for applicants, and the costs of eligibility redeterminations and case maintenance activities for recipients, for different groupings of cases. The bill would authorize the development of the new budgeting methodology to include, among other things, county survey of costs, time and motion studies, and in-person observations by department staff. The bill would require that the new budgeting methodology be implemented no sooner than the 2015-16 fiscal year and that it reflect the impact of PPACA implementation on county administrative work. The bill would make other technical changes.

SB 60  
Wright

*Crime victims: human trafficking*

Existing law provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation and Government Claims Board from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. Existing law sets forth eligibility requirements and specified limits on the amount of compensation the board may award. This bill would include victims of human trafficking within the definition of crimes that are eligible for compensation under these provisions. The bill would delete inoperative provisions that authorized reimbursement of child care expenses from the Restitution Fund until January 1, 2010. By expanding the authorization for the use of moneys in the Restitution Fund, a continuously appropriated fund, this bill would make an appropriation.

SB 67 Committee on Budget and Fiscal Review	<p><i>In-home supportive services</i></p> <p>Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services to permit them to remain in their own homes and avoid institutionalization. Existing law requires the State Department of Social Services to implement, under specified circumstances, a 20% reduction in authorized hours of service to each IHSS recipient, beginning January 1, 2012, except as specified. This bill would delete those provisions. Existing law requires the department, until July 1, 2013, to implement a 3.6% reduction in authorized hours of service to each IHSS recipient, as specified. This bill would require the department, from July 1, 2013, to June 30, 2014, inclusive, to implement an 8% reduction in authorized hours of service to each IHSS recipient, as specified. The bill would authorize a county to administratively deny a request for reassessment based only on that reduction. The bill would require a specified notice to be mailed to the recipient at least 10 days before the reduction goes into effect. The bill would also require the department, beginning July 1, 2014, to implement a 7% reduction in authorized hours of service to each IHSS recipient, as specified. The bill would require a specified notice to be mailed to the recipient at least 20 days before the reduction goes into effect. This bill would state the intent of the Legislature to authorize an assessment on home care services, including, but not limited to, home health care and in-home supportive services. This bill would require the Director of Finance, within 30 days after receipt of specified certification from the State Department of Health Care Services, to, among other things, estimate the total amount of additional funding that would be derived from that assessment for the next fiscal year and calculate, as a percentage, the amount by which the 7% reduction in authorized hours of service for each IHSS recipient is offset by General Fund savings from that assessment. The bill would require the department to perform these activities for the fiscal year that the certification is received and the following fiscal year, and on or before May 14, prior to the 3rd fiscal year after the certification is received. The bill would require the 7% reduction in authorized hours of services to be mitigated by the percentage offset determined by the Director of Finance, as specified. The bill would provide for these provisions to become operative only upon certification by the State Department of Health Care Services that any necessary federal approvals have been obtained. This bill would create the In-Home Supportive Services Reinvestment Fund to receive moneys to the extent that the assessment is implemented retroactively, and use those moneys to provide goods or services for one-time direct reinvestments benefiting IHSS recipients, as prescribed. The bill would require the Director of Finance to consult with specified plaintiffs to develop a plan to reinvest those funds, and require that plan to be submitted to the appropriate policy and fiscal committees of the Legislature. The bill would require the Director of Finance to provide specified notice to the Joint Legislative Budget Committee at least 30 days prior to allocating any of those funds, as prescribed. The bill would, subject to specified conditions, continuously appropriate the moneys in the fund to the department for these purposes. Existing law authorizes a county board of supervisors to elect to contract with a nonprofit consortium to provide for the delivery of IHSS or to establish a public authority to provide for the delivery of IHSS. Under existing law, the state is required to pay 65%, and the county 35%, of the nonfederal share of wage and benefit increases negotiated by a public authority or nonprofit consortium, as specified. Existing law, operative July 1, 2009, requires the state to participate in those wage and benefit increases in a total cost of wages up to \$9.50 per hour and in individual health benefits up to \$0.60 per hour. Existing law provides that those provisions establishing those rates of participation shall not be implemented until July 1, 2012, and shall only be implemented if specified conditions are met. This bill would delete those latter provisions. Under existing law, the department is required to develop a uniform needs assessment tool to ensure that IHSS are delivered in all counties in a uniform manner. Existing law requires the uniform needs assessment tool to evaluate the recipient's functioning in activities of daily living and instrumental activities of daily living and quantifies the recipient's functioning ranks using a general 5-point scale for ranking each function, as specified. Under existing law, beginning September 1, 2009, only individuals who are ranked at a 4 or 5 in the activity of daily living relating to a domestic or related service are eligible for that service,</p>
---	--

except as specified. This bill would delete those latter provisions. Under existing law, beginning September 1, 2009, eligibility for IHSS shall also include functional index scores, which are assigned to a recipient as a weighted average based on his or her individual functional index rankings. Existing law, except as specified, provides that individuals with certain functional index scores are not eligible for IHSS. This bill would delete those provisions. The bill would appropriate \$1,000 from the General Fund to the State Department of Social Services for its administrative costs during the 2013-14 fiscal year. The bill would require the State Department of Social Services and the State Department of Health Care Services to adopt emergency regulations to implement the bill's provisions, as specified. This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 101  
Committee  
on Budget  
and Fiscal  
Review

*Health*

(1) Existing law transfers the duties, powers, purposes, functions, responsibilities, and jurisdiction of the former State Department of Alcohol and Drug Programs to the State Department of Health Care Services, except as specified. This bill would, until July 1, 2017, authorize the State Department of Health Care Services to liquidate the prior years' encumbrances previously obligated by the former State Department of Alcohol and Drug Programs. The bill would require the Controller to transfer the balances of certain prior year appropriations from the former State Department of Alcohol and Drug Programs to the State Department of Health Care Services for these purposes. (2) Existing law transfers the duties, powers, purposes, functions, responsibilities, and jurisdiction of the former State Department of Alcohol and Drug Programs as they relate to the Office of Problem and Pathological Gambling to the State Department of Public Health. This bill, until July 1, 2017, would authorize the State Department of Public Health to liquidate the prior years' encumbrances previously obligated by the Office of Problem and Pathological Gambling. The bill would require the Controller to transfer the balances of certain prior year appropriations from the Office of Problem and Pathological Gambling to the State Department of Public Health for these purposes. (3) Existing law, the Investment in Mental Health Wellness Act of 2013, requires that funds appropriated by the Legislature to the California Health Facilities Financing Authority (authority) for the purposes of the act be made available to selected counties or counties acting jointly, except as otherwise provided, and used to increase capacity for client assistance and services in crisis intervention, crisis stabilization, crisis residential treatment, rehabilitative mental health services, and mobile crisis support teams. Among other things, the act authorizes the authority to adopt emergency regulations relating to the grants for the capital capacity and program expansion projects, including emergency regulations that define eligible costs and determine minimum and maximum grant amounts. This bill would require that these emergency regulations be adopted in accordance with the Administrative Procedure Act, as specified. (4) Existing law establishes the California Health Benefit Exchange (Exchange) within state government, specifies the powers and duties of the executive board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Existing law requires the board to undertake outreach and enrollment activities that seek to assist enrollees and potential enrollees with enrolling in the Exchange, and requires the board to inform individuals of eligibility requirements for the Medi-Cal program, the Healthy Families Program, or any applicable state or local public program and, if, through screening of the application by the Exchange, the Exchange determines that an individual is eligible for any of those programs, to enroll that individual in the program. Existing law requires the State Department of Health Care Services to accept contributions by private foundations in specified amounts for purposes of making payments to entities and persons for Medi-Cal in-person enrollment assistance, as specified, and to provide allocations for the management and funding of Medi-Cal outreach and enrollment plans, as specified. This bill would establish the Healthcare Outreach and Medi-Cal Enrollment Account, consisting of non-General Fund public and private funds, in the Special Deposit Fund for purposes of outreach to and enrollment of targeted Medi-Cal populations and to compensate Medi-Cal in-person assisters. The bill would appropriate the sum of \$14,000,000

from this account and the sum of \$14,000,000 from the Federal Trust Fund, to the State Department of Health Care Services for purposes of compensating eligible Medi-Cal in-person assisters. The bill would appropriate the sum of \$12,500,000 from the account and the sum of \$12,500,000 from the Federal Trust Fund, to the State Department of Health Care Services to provide allocations for outreach and enrollment grants to eligible entities, as specified. The bill would authorize the department to use up to \$500,000 of these funds for administrative activities, as specified. The bill would make these provisions inoperative on June 30, 2018, and would repeal them as of January 1, 2019. The bill would also make conforming changes related to these provisions. (5) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

**SB 138**      *Confidentiality of medical information*

**Hernandez** Existing federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), establishes certain requirements relating to the provision of health insurance, and the protection of privacy of individually identifiable health information. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of its provisions a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law, the Confidentiality of Medical Information Act, provides that medical information, as defined, may not be disclosed by providers of health care, health care service plans, or contractors, as defined, without the patient's written authorization, subject to certain exceptions, including disclosure to a probate court investigator, as specified. A violation of the act resulting in economic loss or personal injury to a patient is a misdemeanor and subjects the violating party to liability for specified damages and administrative fines and penalties. The act defines various terms relevant to its implementation. Existing law, the Insurance Information and Privacy Protection Act, generally regulates how insurers collect, use, and disclose information gathered in connection with insurance transactions. This bill would declare the intent of the Legislature to incorporate HIPAA standards into state law and to clarify standards for protecting the confidentiality of medical information in insurance transactions. The bill would define additional terms in connection with maintaining the confidentiality of this information, including a "confidential communications request" which an insured, or a subscriber or enrollee under a health care service plan, may submit for the purpose of specifying the method for transmitting medical information communications. This bill would specify the manner in which a health care service plan or health insurer, on and after January 1, 2015, would be required to maintain confidentiality of medical information regarding the treatment of an insured, subscriber, or enrollee, including requiring a health care service plan or health insurer to accommodate requests by insureds, subscribers, and enrollees to receive requests for confidential communication of medical information in situations involving sensitive services or situations in which disclosure would endanger the individual. This bill would specifically authorize a provider of health care to communicate information regarding benefit cost-sharing arrangements to the health care service plan or health insurer, as specified. This bill would also prohibit the health care service plan or health insurer from conditioning enrollment in the plan or eligibility for benefits on the waiver of certain rights provided for in the bill.

**SB 282**      *Confidential medical information: required authorization to disclose*

**Yee** The Confidentiality of Medical Information Act requires, among other things, that a demand for settlement or offer to compromise issued on a patient's behalf prior to the service of a complaint in any action arising out of the professional negligence of a specifically certified physician and surgeon be accompanied by an authorization to disclose medical information to the persons or organizations insuring, responsible for, or defending the professional liability of the physician and surgeon in order to allow an evaluation of the merits of the demand for settlement or offer of compromise. This bill would extend these provisions to require that the authorization to disclose medical information also accompany a demand for settlement or offer to compromise issued on

a patient's behalf prior to the service of a complaint in any action arising out of the professional negligence of a person holding a valid license as a marriage and family therapist, as specified.

**SB 332**      *California Health Benefit Exchange: records*

**Emmerson**      Under the federal Patient Protection and Affordable Care Act (PPACA), each state is required, by January 1, 2014, to establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing state law establishes the California Health Benefit Exchange (Exchange) within state government, specifies the powers and duties of the board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Under the California Public Records Act (CPRA), public records of state and local agencies are open to public inspection, as specified, unless a record is exempt from disclosure. Existing law exempts specified records of the Exchange from CPRA and requires, except for the portion of a contract that contains the rates of payment, contracts entered into, and amendments to contracts entered into, by the board to be open to inspection after one year. This bill would instead make open to public inspection the impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or records that provide instructions, advice, or training to employees. The bill would provide that the one year exemption from disclosure for contracts with participating carriers apply to those contracts entered into on or after the effective date of the bill. The bill would also require that the portion of the contract or amendment containing the rates of payment be open to inspection 3 years after a contract or amendment is open to inspection pursuant to these provisions. This bill would declare that it is to take effect immediately as an urgency statute.

**SB 352**      *Medical assistants: supervision*

**Pavley**      Existing law authorizes a medical assistant to perform specified services relating to the administration of medication and performance of skin tests and simple routine medical tasks and procedures upon specific authorization from and under the supervision of a licensed physician and surgeon or podiatrist, or in a specified clinic upon specific authorization of a physician assistant, nurse practitioner, or nurse-midwife. Existing law requires the Board of Registered Nursing to issue a certificate to practice nurse-midwifery to a qualifying applicant who is licensed pursuant to the Nursing Practice Act. This bill would delete the requirement that the services performed by the medical assistant be in a specified clinic when under the specific authorization of a physician assistant, nurse practitioner, or certified nurse-midwife. The bill would prohibit a nurse practitioner, certified nurse-midwife, or physician assistant from authorizing a medical assistant to perform any clinical laboratory test or examination for which the medical assistant is not authorized, as specified, a violation of which would constitute unprofessional conduct.

**SB 353**      *Health care coverage: language assistance*

**Lieu**      Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act is a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires the departments to adopt regulations establishing standards and requirements to provide enrollees and insureds with access to language assistance in obtaining health care services. Existing law requires health care service plans and health insurers, if they exceed certain enrollment thresholds, to implement programs to assess the needs of enrollees and insureds, and to provide translation and interpretation for medical services and translation of vital documents, as defined, to enrollees and insureds, and to report to the respective departments regarding internal policies and procedures related to cultural appropriateness. Existing law provides that a health care service plan is in compliance with the requirements if it is required to meet and meets the same or similar standards, as imposed by the

Medi-Cal program. This bill would require a health care service plan, as specified, that advertises or markets products in the individual or small group health care service plan markets, or that allows others to market or advertise on its behalf in those markets, in a non-English language, as provided, and that does not meet certain requirements, to translate into that language specified documents. The bill would also require an insurer that markets, advertises, or allows others to market or advertise on its behalf, or produces educational materials for health insurance policies, in the individual or small group health insurance markets, in a non-English language and that does not meet certain requirements, to translate specified documents into that language. The bill would require both those health care service plans and insurers to use trained and qualified translators.

SB 494  
Monning

*Health care providers*

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. This bill would, until January 1, 2019, require a health care service plan to ensure that there is at least one full-time equivalent primary care physician for every 2,000 enrollees. This bill would, until January 1, 2019, authorize the assignment of up to an additional 1,000 enrollees, as specified, to a primary care physician for each full-time equivalent nonphysician medical practitioner, as defined, supervised by that physician. By imposing new requirements on health care service plans, the willful violation of which would be a crime, this bill would impose a state-mandated local program. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services. Prior to a Medi-Cal managed care plan commencing operations, existing law requires the department to evaluate, among other things, the extent to which the plan has an adequate provider network, including the location, office hours, and language capabilities of the plan's primary care physicians. Existing law defines primary care provider for these purposes as an internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, or, as specified, types of clinics and defines primary care physician as a physician who has the responsibility, among other duties, for providing initial and primary care to patients. This bill would require that the department evaluate the location, office hours, and language capabilities of a plan's primary care physicians and, if applicable, nonphysician medical practitioners. The bill would add nonphysician medical practitioners to the definition of a primary care provider and would define nonphysician medical practitioner, as specified.

SB 509  
DeSaulnier

*California Health Benefit Exchange: background checks*

Under the federal Patient Protection and Affordable Care Act (PPACA), each state is required, by January 1, 2014, to establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing state law establishes the California Health Benefit Exchange (Exchange) within state government, specifies the powers and duties of the executive board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Existing law creates the California Health Trust Fund as a continuously appropriated fund for the administrative and operational expenses of the Exchange. This bill would require the board to submit to the Department of Justice fingerprint images and related information of employees, prospective employees, contractors, subcontractors, volunteers, or vendors whose duties include or would include access to specified information for the purposes of obtaining prescribed criminal history information. The bill would require the board to require any services contract, interagency agreement, or public entity agreement, that includes or would include access to those types of information to include a provision requiring the contractor to agree to criminal background checks on its employees, contractors, agents, and subcontractors who will have access to that information as part of their services contract, interagency agreement, or public entity agreement. The bill would require the

department to forward to the Federal Bureau of Investigation (FBI) requests for federal summary criminal history information, and would require the department to review the information returned from the FBI and compile and disseminate a response to the board. The bill would require the department to charge a fee sufficient to cover the costs of processing requests pursuant to the bill. This bill would declare that it is to take effect immediately as an urgency statute.

SB 534      *Health and care facilities*

Hernandez      Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, the licensure and regulation of primary care clinics and specialty clinics. Violation of these provisions is a crime. This bill would, until the department adopts regulations relating to the provision of services by a chronic dialysis clinic, a surgical clinic, or a rehabilitation clinic, require those clinics to comply with prescribed federal certification standards in effect immediately preceding January 1, 2013. Because a violation of that requirement would be a crime, the bill would impose a state-mandated local program. The bill would require the department, by July 1, 2017, to conduct a public hearing and submit a prescribed report to the appropriate legislative committees. These provisions would become inoperative on January 1, 2018. Existing law requires the State Department of Public Health and the State Department of Developmental Services to jointly develop and implement licensing regulations appropriate for an intermediate care facility/developmentally disabled-nursing and an intermediate care facility/developmentally disabled-continuous nursing. This bill would, until the departments adopt those regulations, require that the facilities comply with applicable federal certification standards for intermediate care facilities for individuals with intellectual disabilities in effect immediately preceding January 1, 2013. These provisions would become inoperative on January 1, 2018. Existing law provides for the licensure and regulation by the State Department of Public Health of congregate living health facilities. Under existing law, a congregate living health facility is a residential home with a capacity of no more than 12 beds, except as provided, that provides inpatient care to persons with prescribed conditions, including persons who have a diagnosis of terminal illness or who are catastrophically and severely disabled. Existing law requires that a congregate living health facility be freestanding, but specifies that this does not preclude its location on the premises of a hospital. This bill would authorize the establishment of multiple congregate living health facilities in one multifloor building if certain requirements are met, including, among others, that each facility is separated by a wall, floor, or other permanent partition, and is located on former McClellan Air Force Base, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for these congregate living facilities.

SB 563      *Office of Statewide Health Planning and Development: hospital construction*

Galgiani      Existing law requires the Office of Statewide Health Planning and Development to pass upon and approve or reject all plans for the construction or the alteration of any hospital building, as specified. Existing law requires the office to determine and establish an application filing fee that will cover the costs of administering these requirements, and requires the deposit of these fees into the Hospital Building Fund, which is continuously appropriated for the use of the office in carrying out these provisions. This bill would require a person or entity requesting a copy of construction documents maintained by the office to bear the cost of producing the copy of those documents. The bill would require the office to provide an estimate of those costs to the requester before beginning to make those copies. To the extent that this requirement would increase the costs of administering the above-described requirements and amounts of moneys from fees deposited into the Hospital Building Fund, this bill would make an appropriation.

SB 612      *Residential tenancy: victims of human trafficking and elder or dependent adult abuse*

Leno      Existing law authorizes a tenant to notify the landlord in writing that he or she or a household

member, as defined, was a victim of an act of domestic violence, sexual assault, stalking, or abuse of an elder or dependent adult and that the tenant intends to terminate the tenancy. Existing law requires that the tenant attach to the notice to terminate either a copy of a temporary restraining order or protective order that protects the tenant or household member from further domestic violence, sexual assault, or abuse of an elder or dependent adult or a police report, as specified. Existing law permits the tenant to quit the premises after notification and limits the tenant's obligation for payment of rent, as specified. Existing law requires the notice to terminate the tenancy to be given within 180 days of the date the order was issued or the report was made, or as specified. Existing law requires, by January 1, 2014, the Judicial Council to develop or revise a form that may be used to assert, on the basis of these provisions, an affirmative defense to an unlawful detainer action. This bill would expand these provisions to authorize a tenant to notify the landlord that he or she or a household member is a victim of human trafficking and the tenant intends to terminate the tenancy, as specified. Until January 1, 2016, the bill would include among the supporting documents that a tenant may attach to the notice to terminate a tenancy documentation that includes specified statements by the tenant and by a health practitioner, a domestic violence counselor, a sexual assault counselor, or a human trafficking caseworker to indicate that the tenant is seeking assistance for physical or mental injuries or abuse resulting from an act of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult. The bill would make various conforming changes. This bill would prohibit a landlord from disclosing any information provided by a tenant under these provisions to a 3rd party unless the disclosure is consented to in writing or is required by law or order of the court, except as specified. This bill would extend, until July 1, 2014, the deadline for the Judicial Council to develop or revise the above-described form for an affirmative defense to an unlawful detainer action.

**SB 639**      *Health care coverage*

Hernandez

Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA establishes annual limits on deductibles for employer-sponsored plans and defines bronze, silver, gold, and platinum levels of coverage for the nongrandfathered individual and small group markets. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. This bill would prohibit the deductible under a small employer health care service plan contract or health insurance policy offered, sold, or renewed on or after January 1, 2014, from exceeding \$2,000 in the case of a plan contract or policy covering a single individual, or \$4,000 in all other cases. That provision would not apply to multiple employer welfare arrangements, as specified. The bill would require, for nongrandfathered products in the individual or small group markets, a health care service plan contract or health insurance policy, except a specialized health insurance policy, that is issued, amended, or renewed on or after January 1, 2014, to provide for a limit on annual out-of-pocket expenses for all covered benefits that meet the definition of essential health benefits, as defined, and would require the contract or policy, for nongrandfathered products in the large group market, to provide that limit for covered benefits, including out-of-network emergency care, to the extent that the limit does not conflict with federal law or guidance, as specified. The bill would set the limit at \$6,500 for individual coverage and \$12,700 for family coverage for the 2014 plan and policy years, and would set a specified limit for pediatric oral care benefits. For later years, those limits would be set using a specified provision of federal law. The bill would prohibit the total annual out-of-pocket maximum for all covered essential benefits from exceeding that limit for a specialized plan or specialized health insurance policy that offers or provides an essential health benefit, as specified, in plan or policy years beginning on or after January 1, 2015. The bill would also prohibit a plan or insurer from applying a separate out-of-pocket maximum to mental health or substance use disorder benefits. The bill would define bronze, silver, gold, and platinum levels of coverage for the nongrandfathered



individual and small group markets consistent with the definitions in PPACA. The bill would prohibit a carrier that is not participating in the Exchange from offering a catastrophic plan, as defined, in the individual market. PPACA requires a health insurance issuer offering group or individual coverage that provides or covers benefits with respect to services in the emergency department of a hospital to cover emergency services without the need for prior authorization, regardless of whether the provider is a participating provider, and subject to the same cost sharing required if the services were provided by a participating provider, as specified. This bill would impose that requirement with respect to health insurance policies issued, amended, or renewed on or after January 1, 2014, as specified. Existing law requires a health care service plan and carrier providing coverage to small employers each calendar year to establish an index rate for the small employer market in the state based on the total combined claims costs for providing essential health benefits within a single risk pool, as specified. This bill would require that index rate to be established at least each calendar year and no more frequently than each calendar quarter.

SB 800

Lara

*Health care coverage programs: transition*

Existing law creates various programs to provide health care services to persons who meet various eligibility requirements. These programs include the Healthy Families Program, the Access for Infants and Mothers Program, the County Health Initiative Matching Fund, the Major Risk Medical Insurance Program, and the Federal Temporary High Risk Pool, all administered by the Managed Risk Medical Insurance Board, and the Medi-Cal program administered by the State Department of Health Care Services. Existing law provides for the transition of specified enrollees of the Healthy Families Program to the Medi-Cal program, to the extent that those individuals are otherwise eligible. Existing law also provides that employees of the board whose functions are transferred to the Medi-Cal program as a result of that transition retain their positions, status, and rights. Existing law requires the board, beginning July 1, 2013, to cease the provision of health coverage through the Federal Temporary High Risk Pool, except as specified. Existing law establishes the California Health Benefit Exchange (Exchange), and requires the Exchange to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers by January 1, 2014. Existing law also requires the Exchange to undertake activities necessary to market and publicize the availability of health care coverage and federal subsidies through the Exchange and to undertake outreach and enrollment activities. This bill would require the State Department of Health Care Services to provide the Exchange with specified contact information for individuals who are not enrolled in Medi-Cal but who are the parents or caretakers of children enrolled in the Healthy Families Program or the Medi-Cal program, as specified, in order to assist the Exchange in conducting outreach to individuals potentially eligible for an insurance affordability program, as defined. This bill would transfer to the Exchange civil service employees of the board who were assigned to the Federal Temporary High Risk Pool and would require that each transferred employee retain his or her status, position, and rights. The bill would also require that, if the board is dissolved or terminated, all employees assigned to the other programs administered by the board be transferred to the State Department of Health Care Services and that each transferred employee retain his or her status, position, and rights. The bill would provide that any employee's reinstatement rights that would have applied to the board shall instead apply to the department. The bill would require the department, if employees of the board are transferred to the department, to prepare a report, as specified, and to submit that report to the fiscal and relevant policy committees of the Legislature by February 1 of the year following the year in which the employees are transferred, and to update that report, as specified.

SBX1 1

Hernandez

*Medi-Cal: eligibility*

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program

provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified former foster children. The bill would also add, commencing January 1, 2014, mental health services and substance use disorder services included in the essential health benefits package, as adopted by the state and approved by the United States Secretary of Health and Human Services, to the schedule of Medi-Cal benefits, as specified. The bill would require the department to seek approval from the United States Secretary of Health and Human Services to provide, effective January 1, 2014, specified individuals with an alternative benefit package, which would provide the same schedule of benefits provided to full-scope Medi-Cal beneficiaries qualifying under the modified adjusted gross income (MAGI) income standard, except as specified. The bill would provide that the implementation of the optional expansion of Medi-Cal benefits to adults who meet specified eligibility requirements shall be contingent on the federal medical assistance percentage (FMAP) payable to the state under the Affordable Care Act not being reduced to specified percentages, as specified. Because counties are required to make Medi-Cal eligibility determinations and this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program. This bill would require that a person who wishes to apply for an insurance affordability program, as defined, be allowed to file an application on his or her own behalf or on behalf of his or her family and would authorize a person to be accompanied, assisted, and represented in the application and renewal process by an individual or organization of his or her choice. This bill would also require the department, to the extent required by federal law, to provide assistance to any applicant or beneficiary who requests help with the application or redetermination. The bill would require the department to file a state plan amendment to exercise a federal option to allow beneficiaries to use projected annual household income and to allow applicants and beneficiaries to use reasonably predictable annual income, as specified. This bill would require the department to seek any federal waivers necessary to use eligibility information of certain individuals who have been determined eligible for the CalFresh program to determine their eligibility for Medi-Cal and to automatically enroll parents who apply for Medi-Cal who have one or more children who are eligible based on determined income level at or below a specified standard. The bill would authorize the department to seek any federal waivers or state plan amendments necessary to use the eligibility information of individuals determined eligible for other state-only funded health care programs and county general assistance programs to determine an applicant's Medi-Cal eligibility to the extent that there is no General Fund impact. This bill would require the department to provide Medi-Cal benefits during the presumptive eligibility period to individuals who have been determined eligible on the basis of preliminary information by a qualified hospital, as specified. Existing law requires the department to adopt regulations for use by the county in determining whether an applicant is a resident of the state and of the county, subject to the requirements of federal law. Existing law requires that the regulations require that state residency be established only if certain requirements are met, including the requirement that the applicant makes specified declarations under penalty of perjury. This bill would revise those provisions to, among other things, further prescribe the circumstances under which state residency may be established and to require the department to electronically verify an individual's state residency using certain sources and would set forth how an individual may establish state residency if the department is unable to electronically verify his or her state residency. The bill would, for purposes of establishing state residency, authorize an individual to make various declarations under penalty of perjury, and would authorize other individuals, such as parents or legal guardians, to make various declarations under penalty of perjury regarding the individual's state residency if the individual is incapable of indicating intent. By expanding the crime of perjury, the bill would impose a state-mandated local program. This bill would provide that any individual who is 21 years of age or older, does not have minor children eligible for Medi-Cal benefits, would be eligible for Medi-Cal benefits but for a specified five-year eligibility limitation, and who is enrolled in and covered through the California Health Benefit Exchange with an advanced

premium tax credit shall be eligible for specified Medi-Cal benefits and insurance premium costs and cost-sharing charges paid by the department, as specified. Under existing law, one of the ways by which Medi-Cal services are provided is pursuant to contracts with various types of managed care plans. This bill would require Medi-Cal managed care plans to provide mental health benefits covered by the state plan, as prescribed.

SBX1 3      *Health care coverage: bridge plan*

Hernandez      Existing law, the federal Patient Protection and Affordable Care Act, requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, carriers that sell any products outside the California Health Benefit Exchange (Exchange) are required to fairly and affirmatively offer, market, and sell all products made available to individuals or small employers in the Exchange to individuals or small employers, respectively, purchasing coverage outside the Exchange. Existing law also requires carriers that participate in the Exchange to fairly and affirmatively offer, market, and sell in the Exchange at least one product within 5 levels of specified coverage. This bill would exempt a bridge plan product, as defined, from that latter requirement. This bill would, among other things, also require the Exchange to enter into contracts with and certify as a qualified health plan bridge plan products that meet specified requirements, including being a Medi-Cal managed care plan. The bill would also require the Exchange to make available bridge plan products to eligible individuals. The bill would authorize the Exchange, after consulting with stakeholders, to adopt regulations to implement those provisions, and until January 1, 2016, exempt the adoption, amendment, or repeal of those regulations from the Administrative Procedure Act. The bill would require the Exchange to annually prepare a specified written report on the implementation and performance of the Exchange functions during the preceding fiscal year, and to prepare, or contract for the preparation of, an evaluation of the bridge plan program using the first 3 years of experience with the program, as specified. The bill would authorize a health care service plan or insurance carrier offering a bridge plan product in the Exchange to limit the products it offers in the Exchange to the bridge plan product, except as required by federal law. The bill would define “bridge plan product” as an individual health benefit plan offered by a licensed health care service plan or health insurer that contracts with the Exchange, as specified. The bill would also require the State Department of Health Care Services to impose specified requirements in its contracts with a health care service plan or health insurer to provide Medi-Cal managed care coverage but would authorize the department to contract with the Exchange to delegate the implementation of those provisions. The bill would require the Exchange to seek federal approval to allow specified individuals the option to enroll in a different bridge plan product if the individual’s primary care provider is included in the contracted network of the different bridge plan product and either the bridge plan product for which the individual is eligible is not offered in that individual’s service area or is not offered as a bridge plan product by the Exchange. The bill would provide that its provisions would become inoperative on the October 1 that is 5 years after the date that federal approval of the bridge plan option occurs.

## Behavioral Health Care Services

- AB 361 *Medi-Cal: Health Homes for Medi-Cal Enrollees and Section 1115 Waiver*  
Mitchell *Demonstration Populations with Chronic and Complex Conditions*  
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing federal law authorizes a state, subject to federal approval of a state plan amendment, to offer health home services, as defined, to eligible individuals with chronic conditions. This bill would authorize the department, subject to federal approval, to create a health home program for enrollees with chronic conditions, as prescribed, as authorized under federal law. This bill would provide that those provisions shall not be implemented unless federal financial participation is available and additional General Fund moneys are not used to fund the administration and service costs, except as specified. This bill would require the department to ensure that an evaluation of the program is completed, if created by the department, and would require that the department submit a report to the appropriate policy and fiscal committees of the Legislature within 2 years after implementation of the program.
- AB 402 *Disability income insurance: mental illness*  
Ammiano Existing law defines disability income insurance as insurance against loss of occupational earning capacity arising from injury, sickness, or disablement. This bill would require every policy of disability income insurance that is of a short-term limited duration of 2 years or less, that is issued, amended, or renewed on or after July 1, 2014, and that provides disability income benefits to provide coverage for disability caused by severe mental illnesses, as defined.
- AB 404 *Healing arts: behavioral sciences: retired licenses*  
Eggman Existing law provides for the licensure and regulation of marriage and family therapists, clinical social workers, educational psychologists, and professional clinical counselors by the Board of Behavioral Sciences within the Department of Consumer Affairs. Existing law fixes the license fees and creates the Behavioral Sciences Fund in the State Treasury into which these license fees are deposited. Existing law requires the board to issue a retired license to a marriage and family therapist, clinical social worker, educational psychologist, or professional clinical counselor who holds a license that is current and active or capable of being renewed, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action. This bill would specify that the license may be current and active or inactive. Under existing law, a holder of a retired license may apply to have his or her license restored to active status if the holder has not committed an act or crime constituting grounds for denial of licensure and the holder pays the required fee, completes specified continuing education requirements, and complies with fingerprint submission requirements, as specified. Existing law requires an applicant to apply for licensure and pass the examinations required for licensure if the applicant's retired license was issued 5 or more years prior to the application to restore the license to active status. This bill would reduce the number of years from 5 years to 3 years for a marriage and family therapist, clinical social worker, educational psychologist, or professional clinical counselor who holds a retired license to apply to have his or her license restored to active status without having to apply for licensure and pass the examinations required for licensure.
- AB 428 *Healing arts: marriage and family therapists: clinical social workers: coursework*  
Eggman Existing law provides for the licensure or registration and regulation of marriage and family therapists and interns by the Board of Behavioral Sciences. Under existing law, until January 1, 2019, an applicant for a marriage and family therapist licensure or registration who began graduate study before August 1, 2012, and completes that study on or before December 31,

2018, is required to complete prescribed coursework or training to be eligible to sit for a licensing examination. Under existing law, the prescribed coursework and training require, among other things, that a master's or doctor's degree qualifying for licensure include specific instruction in alcoholism and other chemical substance dependency. This bill would specify that coursework requirement may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and that the applicant may satisfy the requirement by successfully completing the coursework from a master's or doctoral degree program at an accredited or approved institution or with a board-accepted provider of continuing education, as specified. The prescribed coursework and training also require that a master's or doctor's degree qualifying for licensure include coursework in spousal or partner abuse assessment, detection, and intervention, as specified. Existing law provides that those requirements may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated. This bill would specify that the applicant may meet this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution or from a board-accepted provider of continuing education, as described. This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution. Existing law provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences. Under existing law, an applicant for a clinical social worker license is required to furnish to the board evidence that he or she has, among other things, completed instruction and training in spousal or partner abuse assessment, detection, and intervention strategies, as specified, which may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated. This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution.

AB 451  
Eggman

*Healing arts: therapists and counselors: licensing*

Existing law provides for the licensure or registration and regulation of marriage and family therapists and interns and professional clinical counselors by the Board of Behavioral Sciences. Under existing law, the board may issue a license to an applicant who holds a valid license from another state if, among other requirements, his or her education and supervised experience requirements are substantially similar, as specified. Under existing law, for marriage and family therapist applicants who apply for licensure or professional clinical counselor applicants who apply for examination eligibility or registration, the board is required to accept education gained outside of California toward applicable requirements if it is substantially similar and the applicant completes certain coursework and training, and may accept education as substantially equivalent if it meets certain requirements, including the completion of at least 48 semester or 72 quarter units of instruction, as specified. These provisions apply to marriage and family therapist applicants who apply between January 1, 2010, and December 31, 2013, and to professional clinical counselor applicants who apply between January 1, 2011, and December 31, 2013, and are operative until January 1, 2014. This bill would extend the application of those provisions to December 31, 2015, and extend the operative date of those provisions to January 1, 2016. Under existing law, for a marriage and family therapist applicant who holds a valid license from another state and who applies for licensure on or after January 1, 2014, and a professional clinical counselor applicant who holds a valid license from another state and who applies for examination eligibility on or after January 1, 2014, the board may issue a license to that person if, among other requirements, his or her supervised experience is substantially equivalent. For an applicant who does not hold a license, the board is required to accept experience and education gained outside of California toward the licensure or registration requirements if it is substantially equivalent. Under existing law, education is substantially equivalent if it meets certain requirements, including the completion of credit level coursework from a degree-granting institution that provides specified instruction and an 18-hour course in

California law and professional ethics. This bill would delay the application of those provisions to January 1, 2016.

AB 635      *Drug overdose treatment: liability*

Ammiano      Existing law authorizes a physician and surgeon to prescribe, dispense, or administer prescription drugs, including prescription-controlled substances, to an addict under his or her treatment, as specified. Existing law prohibits, except in the regular practice of his or her profession, any person from knowingly prescribing, administering, dispensing, or furnishing a controlled substance to or for any person who is not under his or her treatment for a pathology or condition other than an addiction to a controlled substance, except as specified. Existing law authorizes, until January 1, 2016, and only in specified counties, a licensed health care provider, who is already permitted pursuant to existing law to prescribe an opioid antagonist, as defined, and who is acting with reasonable care, to prescribe and subsequently dispense or distribute an opioid antagonist in conjunction with an opioid overdose prevention and treatment training program, as defined, without being subject to civil liability or criminal prosecution. Existing law requires a local health jurisdiction that operates or registers an opioid overdose prevention and treatment training program to collect prescribed data and report it to the Senate and Assembly Committees on Judiciary by January 1, 2015. Existing law authorizes, until January 1, 2016, and only in specified counties, a person who is not licensed to administer an opioid antagonist to do so in an emergency without fee if the person has received specified training information and believes in good faith that the other person is experiencing a drug overdose. Existing law prohibits that person, as a result of his or her acts or omissions, from being liable for any violation of any professional licensing statute, or subject to any criminal prosecution arising from or related to the unauthorized practice of medicine or the possession of an opioid antagonist. This bill would revise and recast these provisions to instead authorize a licensed health care provider who is permitted by law to prescribe an opioid antagonist and is acting with reasonable care to prescribe and subsequently dispense or distribute an opioid antagonist for the treatment of an opioid overdose to a person at risk of an opioid-related overdose or a family member, friend, or other person in a position to assist a person at risk of an opioid-related overdose. The bill would authorize these licensed health care providers to issue standing orders for the distribution of an opioid antagonist to a person at risk of an opioid-related overdose or to a family member, friend, or other person in a position to assist the person at risk. The bill would authorize these licensed health care providers to issue standing orders for the administration of an opioid antagonist by a family member, friend, or other person in a position to assist a person experiencing or suspected of experiencing an opioid overdose. The bill would provide that a licensed health care provider who acts with reasonable care and issues a prescription for, or an order for the administration of, an opioid antagonist to a person experiencing or suspected of experiencing an opioid overdose is not subject to professional review, liable in a civil action, or subject to criminal prosecution for issuing the prescription or order. The bill would provide that a person who is not otherwise licensed to administer an opioid antagonist, but who meets other specified conditions, is not subject to professional review, liable in a civil action, or subject to criminal prosecution for administering an opioid antagonist. The bill would also delete the repeal date and reporting requirements and expand the applicability of these provisions statewide.

AB 1054      *Mental health: skilled nursing facility: reimbursement rate*

Chesbro      Existing law provides for the licensure and regulation of health facilities, including skilled nursing facilities, by the State Department of Public Health. Existing law requires the State Department of Health Care Services to contract with skilled nursing facilities that have been designated by the State Department of State Hospitals as institutions for mental disease to provide services to the residents. Under existing law, as long as contracts require institutions for mental disease to continue to be licensed as skilled nursing facilities, they are reimbursed at a specified rate. Existing law requires that rate to increase by 4.7% annually. This bill would,

effective July 1, 2014, require the reimbursement rate for services in those institutions for mental disease to increase by 3.5% annually.

SB 243      *Professional clinical counselors*

Wyland

Existing law, the Licensed Professional Clinical Counselor Act, provides for the licensure and regulation of professional clinical counselors by the Board of Behavioral Sciences. Existing law defines professional clinical counseling, in part, as the application of counseling interventions and psychotherapeutic techniques to identify and remediate specified problems. Existing law also provides that professional clinical counseling does not include the assessment or treatment of couples or families unless the clinical counselor has completed specified training and education in addition to the minimum training and education required for licensure. This bill would instead provide that professional clinical counseling does not include the assessment or treatment of couples or families unless the clinical counselor has completed specified training and education. The bill would expand the definition of professional clinical counseling to include the use, application, and integration of specified coursework and training.

SB 364      *Mental health*

Steinberg

Existing law, the Lanterman-Petris-Short Act, provides for the involuntary commitment and treatment of persons with specified mental disorders and for the protection of the persons so committed. Existing law states the intent of the Legislature, with regard to this act, to end inappropriate, indefinite, and involuntary commitment of mentally disordered persons, developmentally disabled persons, and persons impaired by chronic alcoholism, and to eliminate legal disabilities and to protect mentally disordered persons and developmentally disabled persons, among other things. This bill would state the intent of the Legislature, additionally, to provide consistent standards for protection of the personal rights of persons who are subject to involuntary detention and to provide services in the least restrictive setting appropriate to the needs of the person, as well as making technical changes. This bill would encourage each city or county mental health department to post on its Internet Web site a current list, to be updated at least annually, of ambulatory services and other resources for persons with mental health and substance use disorders in the city or county that may be accessed by providers and consumers of mental health services. Under existing law, when a person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, he or she may, upon probable cause, be taken into custody by a peace officer, member of the attending staff of an evaluation facility, designated members of a mobile crisis team, or other designated professional person, and placed in a facility designated by the county and approved by the State Department of Social Services as a facility for 72-hour treatment and evaluation. Existing law specifies advisements that are to be given to the person prior to involuntary commitment. This bill would authorize a county health director to develop procedures for the county's designation and training of professionals who will be designated to perform functions relating to the 72-hour treatment and evaluation. The bill would require the facilities for treatment and evaluation to be licensed or certified as mental health treatment facilities by the State Department of Health Care Services or the State Department of Public Health. The bill would require assessment and evaluation, as defined, to be provided on an ongoing basis and would authorize crisis intervention to be provided concurrently with assessment, evaluation, or any other service. The bill would also authorize a professional person in charge of a facility for evaluation and treatment to take custody of a person for this purpose. The bill would make prescribed changes to the advisements given when the person is taken into custody and when the person is admitted to the facility, and would require that the facility keep a record of the advisement. By requiring local mental health facilities to provide and maintain this additional information, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

SB 585  
Steinberg

*Mental health: Mental Health Services Fund*

Existing law contains provisions governing the operation and financing of community mental health services for the mentally disordered in every county through locally administered and locally controlled community mental health programs. Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans for the provision of mental health services, as specified. The act establishes the Mental Health Services Fund, continuously appropriated to and administered by the State Department of Health Care Services, to fund specified county mental health programs, including programs funded under the Adult and Older Adult Mental Health System of Care Act. The Adult and Older Adult Mental Health System of Care Act establishes service standards that require, among other things, that a service planning and delivery process provides for services that are client directed and employ psychosocial rehabilitation and recovery principles. The act authorizes the Legislature to clarify procedures and terms of the act by majority vote. Existing law, the Assisted Outpatient Treatment Demonstration Project Act of 2002, known as Laura's Law, until January 1, 2017, regulates designated assisted outpatient treatment services, which counties may choose to provide for their residents. In counties where assisted outpatient treatment services are available, a person is authorized to obtain assisted outpatient treatment pursuant to an order if requisite criteria are met, as specified. Under that law, participating counties are required to provide prescribed assisted outpatient services, including a service planning and delivery process, that are client directed and employ psychosocial rehabilitation and recovery principles. This bill would clarify that services provided under Laura's Law may be provided pursuant to the procedures specified in the Mental Health Services Act, thereby making an appropriation. Because the bill would clarify the procedures and terms of Proposition 63, it would require a majority vote of the Legislature. Under existing law, the underlying philosophy for the system of care for adults and older adults includes clients who should be fully informed and volunteer for all treatments provided, unless danger to self or others or grave disability requires temporary involuntary treatment. This bill would include within those exceptions clients who are under court order for treatment, as specified. Existing law establishes the Local Revenue Fund, which contains specified accounts and subaccounts, including the Mental Health Subaccount, the Mental Health Equity Subaccount, and the Vehicle License Collection Account. Existing law establishes the Local Revenue Fund 2011, which contains specified accounts and subaccounts, including the Mental Health Account and the Behavioral Health Subaccount within the Support Services Account. This bill would, to the extent otherwise permitted under state and federal law, specify that counties that elect to implement Laura's Law may pay for those services using funds distributed to counties from the Mental Health Subaccount, the Mental Health Equity Subaccount, and the Vehicle License Collection Account of the Local Revenue Fund, funds from the Mental Health Account and the Behavioral Health Subaccount, within the Support Services Account of the Local Revenue Fund 2011, funds from the Mental Health Services Fund, and any other funds from which the Controller makes distributions to the counties, for those purposes.



## Environmental Health Services

### AB 21 *Safe Drinking Water Small Community Emergency Grant Fund*

Alejo Existing law establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law requires the department to establish criteria to be met for projects to be eligible for consideration for this funding. This bill would authorize the department to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would limit the grant fund to a maximum of \$50,000,000. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and severely disadvantaged communities, thereby making an appropriation.

### AB 30 *Water Quality*

Perea Existing law, the Porter-Cologne Water Quality Control Act or the state act, establishes the State Water Pollution Control Revolving Fund program pursuant to which state and federal funds are continuously appropriated from the State Water Pollution Control Revolving Fund to the State Water Resources Control Board for loans and other financial assistance for the construction of publicly owned treatment works by a municipality, the implementation of a management program, the development and implementation of a conservation and management plan, and other related purposes in accordance with the Federal Water Pollution Control Act and the state act. Existing law authorizes the board, until 2014, to assess a specified annual charge in connection with any financial assistance made pursuant to the revolving fund program in lieu of interest that otherwise would be charged and requires the proceeds generated from the imposition of that charge to be deposited in the State Water Pollution Control Revolving Fund Small Community Grant Fund or grant fund, along with any interest earned upon the moneys in the grant fund. Existing law provides that the charge remain unchanged until 2014, at which time it will terminate and be replaced by an identical interest rate, and prohibits the deposit of more than \$50,000,000 into the grant fund. Existing law authorizes the board to expend the moneys in the grant fund, upon appropriation by the Legislature, for grants for eligible projects under the revolving fund program that serve small communities, as defined. This bill would eliminate the requirement that the charge remain unchanged until 2014 and instead would authorize the board to assess the charge without change unless the board makes a prescribed determination. This bill would require the board to replace the charge with an identical interest rate if the board ceases collecting the charge before the repayment is complete. This bill would eliminate the prohibition on the deposit of more than \$50,000,000 collected by the charge into the grant fund. This bill would require the board to expend moneys appropriated from the grant fund within a period of 4 years from the date of encumbrance.

### AB 115 *Safe Drinking Water State Revolving Fund*

Perea Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting and enforcing regulations, and conducting studies and investigations to assess the quality of water in domestic water supplies. Existing law establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law requires the department to establish criteria for projects to be eligible for the grant and loan program, including that a legal entity exist that has the authority

to enter into contracts and incur debt on behalf of the community to be served and owns the public water system or has the right to operate the public water system under a lease with a term of at least 20 years, unless otherwise authorized by the department. This bill would authorize a legal entity, as defined, to apply for grant funding on behalf of one or more public water systems serving disadvantaged or severely disadvantaged communities if specified requirements are met, including having a signed agreement with each public water system for which it is applying for funding. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation. This bill would, if legislation is enacted in 2013 that transfers the statutory and regulatory authority for the California Safe Drinking Water Act from the State Department of Public Health, delay the implementation of the provisions of the act for one year after the effective date of the transfer of authority.

**AB 118**

Committee on  
Environmental  
Safety and  
Toxic  
Materials

*Safe Drinking Water State Revolving Fund*

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health. The department's duties include, but are not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting and enforcing regulations, and conducting studies and investigations to assess the quality of water in domestic water supplies. Existing law establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for grants and revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Under existing law, a grant is authorized only to the extent the department finds the public agency or not-for-profit water company is unable to repay the full costs of a loan. This bill would limit loans and grants from the fund for planning and preliminary engineering studies, project design, and construction costs to those incurred by community and not-for-profit noncommunity public water systems and would specify that a small community water system or nontransient noncommunity water system that is owned by a public agency or a private not-for-profit water company and is serving a severely disadvantaged community, is deemed to have no ability to repay a loan. Under existing law, the maximum amount of a construction grant award to a public water system for a single project is \$3 million or, for a public water system that serves a disadvantaged community, \$10 million, as specified. This bill would authorize an applicant, subject to specified conditions, to receive up to the full cost of a project in the form of a loan.

**AB 119**

Committee on  
Environmental  
Safety and  
Toxic  
Materials

*Water treatment devices*

Existing law prohibits a person from making a claim in connection with the sale or distribution of a water treatment device, as defined, that the device affects the health or safety of drinking water, unless the device has been certified by the State Department of Public Health or another entity, as specified. Existing law requires the department to adopt regulations setting forth the criteria and procedures for certification of water treatment devices that are claimed to affect the health or safety of drinking water. This bill would revise the criteria and procedure for certification of water treatment devices for which a health or safety claim, as defined, is made and would require each manufacturer that offers for sale in California one of those water treatment devices to submit specified information, including the manufacturer's contact information, product identification information, the specific contaminant claimed to be removed or reduced by the device, and a product information worksheet, as described, to the department for purposes of inclusion on the department's Internet Web site. The bill would require the department to publish that information on its Internet Web site by April 1, if it received the information between September 2 and March 1, and by October 1, if it received the information between March 2 and September 1. The bill would also require each manufacturer to pay a reasonable regulatory fee to pay for the cost of publishing information on the department's Internet Web site and for conducting enforcement actions. The bill would require, after July 1,

2015, the exterior packaging of certain water treatment devices to clearly identify the contaminant that the device has been certified to remove or reduce, as specified. The bill would also require the manufacturer of certain water treatment devices, after July 1, 2015, to include a specified decal with each water treatment device offered for sale in California. This bill would make related and conforming changes.

**AB 120**

Committee on  
Environmental  
Safety and  
Toxic  
Materials

*Underground storage tanks: school districts*

Existing law allows a person required to perform corrective action in response to an unauthorized release of petroleum from an underground storage tank to apply to the State Water Resources Control Board for payment of specified portions of the costs of corrective action. Existing law establishes the Underground Storage Tank Cleanup Fund in the State Treasury and authorizes the money in the fund to be expended by the board, among other things, upon appropriation by the Legislature, to pay those claims, and requires, as a condition of eligibility for payment, that the claimant comply with the underground storage tank permit requirements. Existing law establishes until July 1, 2016, the School District Account in the Underground Storage Tank Cleanup Fund for the payment of claims filed by a school district that takes corrective action to clean up an unauthorized release from a petroleum underground storage tank. This bill would require the board to waive the underground storage tank permit requirement for claims reimbursed from that account if the superintendent of the school district receiving the reimbursement certifies to the board that petroleum was not delivered on or after January 1, 2003, to the tank that is the subject of the claim or the tank was removed before January 1, 2003.

**AB 227**

Gatto

*Proposition 65: enforcement*

(1) The existing Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from knowingly discharging or releasing such a chemical into water or any source of drinking water, except as specified. The act imposes civil penalties of not more than \$2,500 per day upon persons who violate those prohibitions, and provides for the enforcement of those prohibitions by the Attorney General, a district attorney, or specified city attorneys or prosecutors, and by any person in the public interest. The act requires any person bringing an action in the public interest, or any private person filing an action in which a violation of the act is alleged, to notify the Attorney General, the district attorney, city attorney, or prosecutor in whose jurisdiction the violation is alleged to have occurred, and the alleged violator that such an action has been filed. This bill would require a person filing an enforcement action in the public interest for certain specified exposures to provide a notice in a specified proof of compliance form. The bill would prohibit an enforcement action from being filed by that person, and would prohibit the recovery of certain payments or reimbursements, if the notice to the alleged violator alleges a failure to provide a clear and reasonable warning for those specified exposures and, within 14 days after receiving the notice, the alleged violator corrects the alleged violation, pays a civil penalty in the amount of \$500 per facility or premises, and notifies the person bringing the action that the violation has been corrected pursuant to the specified proof of compliance form. The bill would specify that the alleged violator may correct the violation, pay the civil penalty, and serve a correction notice on the person who served notice of the violation only one time for a violation arising from the same exposure in the same facility or on the same premises. The bill would require the Judicial Council, on April 1, 2019, and at each 5-year interval thereafter, to adjust that civil penalty, as specified. (2) Proposition 65 provides that it may be amended by a statute, passed in each house by 2/3 vote, to further its purposes. This bill would find and declare that it furthers the purposes of Proposition 65 and would make other findings regarding the purposes of the bill. The bill would declare that a specified provision of the bill is independent and severable from the other changes made by this bill. (3) This bill would declare that it is to take effect immediately as an

urgency statute.

- AB 304 *Pesticides: toxic air containment: control measures*  
Williams (1) Existing law requires the Director of Pesticide Regulation, upon completion of an evaluation of a pesticide, to prepare a report on the health effects of any pesticide determined to be a toxic air contaminant that poses a present or potential hazard to human health due to airborne emission from its use, as specified. Existing law requires this report to be made available to the public, as specified. Existing law also requires the director to determine, in consultation with specified agencies, the need for and appropriate degree of control measures for each pesticide listed as a toxic air contaminant. Existing law defines toxic air contaminant to include those pesticides that have been identified as hazardous air pollutants pursuant to federal law. This bill would require the director's written determination regarding control measures for each pesticide and any formal written comments made by consulting agencies be made available to the public. The bill, for each pesticide for which a risk assessment has been completed that has been identified by the director as a toxic air contaminant based on its listing as a federally identified hazardous air pollutant, would require the director, in consultation with the Office of Environmental Health Hazard Assessment, the State Air Resources Board, and the air pollution control or air quality management districts in the affected counties, to determine the need for and appropriate degree of control measures, as specified. The bill would require the director's written determination and any formal written comments made by consulting agencies in regard to control measures for these pesticides to be made available to the public. (2) Existing law requires, for those pesticides for which a need for control measures has been determined, the director, in consultation with specified agencies, to develop control measures designed to reduce emissions sufficiently so the source will not expose the public to the levels of exposure that may cause or contribute to significant adverse health effects. Existing law requires, after a public hearing, the director to adopt, by regulation, control measures, including application of the best practicable control techniques for those pesticides for which a need has been determined. This bill would require the director to follow specified consultation procedures and would require the director, within 2 years of the determination of the need for control measures, as specified, to adopt control measures to protect human health. The bill, if the director is unable to adopt control measures to protect human health within 2 years of the determination of the need for control measures, would require the director to submit a specified report to the appropriate committees of the Legislature setting forth the reasons that requirement has not been met and to update that report, as specified. The bill would require, with respect to any pesticide for which a determination of the need for control measures was made before January 1, 2014, that the 2-year period described above commence on January 1, 2014.
- AB 324 *Glass beads: lead and arsenic*  
Bloom Existing law, part of the hazardous waste control law, requires the Department of Toxic Substances Control to adopt regulations to establish a process by which chemicals or chemical ingredients in products may be identified and prioritized for consideration as being a chemical of concern and to adopt regulations to establish a process by which chemicals of concern may be evaluated. That law prohibits, until January 1, 2015, a person from manufacturing, selling, offering for sale, or offering for promotional purposes in this state, glass beads that contain more than a specified amount of arsenic or lead if those glass beads will be used with certain types of blasting equipment and requires, until January 1, 2015, each container or bag of glass beads sold for surface preparation to be labeled in a specific manner. Existing law also prohibits, until January 1, 2015, these glass beads from being considered as a product category subject to the chemicals of concern regulations. A violation of the hazardous control law is a misdemeanor. This bill would revise the process for determining the amount of arsenic or lead that glass beads may contain, and would authorize the department to require any person who manufactures, sells, or offers for sale glass beads to provide to the department specified information relating to documentation and information about the manufacturer or supplier of those glass beads. The bill

would authorize an authorized representative of the department, for purposes of administering and enforcing these provisions regulating the manufacture of glass beads, upon obtaining consent or after obtaining an inspection warrant, to, upon presenting appropriate credentials and at a reasonable time, take specified actions to enter and inspect a factory, warehouse, or establishment where glass beads are made. The bill would require the above-described glass bead prohibitions and requirements to be effective until January 1, 2020. This bill would require the department, no later than January 1, 2019, to prepare an evaluation of existing research and data to determine if the standard of 75ppm or more of arsenic or 100ppm or more of lead is an appropriate standard for the use of those substances with regard to the prohibitions specified above, and to submit its findings to the Legislature. The bill would require that, if the department determines that not enough data exists to complete the evaluation, the department notify the Legislature and recommend a process for conducting the evaluation.

AB 425      *Pesticides: copper-based antifouling paint: leach rate determination: mitigation*  
Atkins      *measure recommendations*

Existing law requires every manufacturer of, importer of, or dealer in any pesticide, except a person that sells any pesticide that has been registered by the manufacturer or wholesaler, to obtain a certificate of registration from the Department of Pesticide Regulation before the pesticide is offered for sale. This bill would require the department, no later than February 1, 2014, to determine a leach rate for copper-based antifouling paint used on recreational vessels and to make recommendations for appropriate mitigation measures that may be implemented to protect aquatic environments from the effects of exposure to that paint if it is registered as a pesticide.

AB 426      *Water: water transfers: water right decrees*  
Salas

Existing law regulates water transfers and, among other things, allows a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. Under existing law, any water right determined under a court decree issued after January 1, 1981, is transferable, as specified. This bill would eliminate the requirement that the court decree be issued after January 1, 1981.

AB 440      *Hazardous materials: releases: local agency cleanup*  
Gatto

Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, perform obligations required pursuant to any enforceable obligation, including, but not limited to, any obligations under the Polanco Redevelopment Act to remedy or remove the release of hazardous substances within a project area consistent with state and federal laws, as specified. Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act, imposes liability for hazardous substance removal or remedial actions and requires the Department of Toxic Substances Control to adopt, by regulation, criteria for the selection and for the priority ranking of hazardous substance release sites for removal or remedial action under the act. This bill would authorize a local agency to take any action similar to that under the Polanco Redevelopment Act that the local agency determines is necessary, consistent with other state and federal laws, to investigate and clean up a release of hazardous materials in a blighted area, as determined by the local agency, within the boundaries of the local agency, pursuant to the procedures specified in the bill. The bill would require a local agency to submit for approval a cleanup plan to the California regional water control board or to the Department of Toxic Substances Control before taking action. The bill would require a local

agency to take specified actions with regard to providing an opportunity for the public and other public agencies to participate in decisions regarding the proposed cleanup plan. The bill would allow the local agency to take those cleanup activities only under specified conditions with regard to the responsible party for the release, unless the local agency is taking action to investigate or conduct feasibility studies concerning a release or determines that conditions require immediate action. The bill would allow the local agency to designate another agency, in lieu of the department or the regional board, to review and approve a cleanup plan and to oversee the cleanup of hazardous material from a hazardous material release site, under certain conditions. The bill would immunize a local agency that cleans up a hazardous material release, pursuant to those provisions, from liability under specified state laws, if the action is in accordance with a cleanup plan prepared by a qualified independent contractor, as defined, and approved by the department, a regional board, or the designated agency, and the cleanup is undertaken and properly completed. The bill would authorize the recovery by a local agency of cleanup costs from the responsible party.

AB 803  
Gomez

*Water Recycling Act of 2013*

(1) Existing law requires the State Department of Public Health to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. Existing regulations prescribe various requirements and prohibitions relating to recycled water. Existing law requires any person who, without regard to intent or negligence, causes or permits any sewage or other waste, or the effluent of treated sewage or other waste, to be discharged in or on any waters of the state, or where it probably will be discharged in or on any waters of the state, to immediately notify the local health officer of the director of environmental health of the discharge, as prescribed. This bill, the Water Recycling Act of 2013, would provide that this notification requirement does not apply to an unauthorized discharge of effluent of treated sewage defined as recycled water, as defined. (2) Existing law provides for the regulation of cemeteries, including, among others, private cemeteries, public cemeteries, and cemeteries operated by a religious organization. Existing law permits a governing board of a city or county to prescribe standards of maintenance for cemeteries to protect the public health or safety. This bill would specify that hose bibs are approved for use at cemeteries supplied with disinfected tertiary treated recycled water. The bill would require a cemetery supplied with disinfected tertiary treated recycled water that installs a hose bib in a public access area to post visible signage and labeling indicating that the water is nonpotable. (3) Existing law establishes the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. This bill would authorize compliance with effluent limitations and any other permit or waste discharge requirements for the release or discharge of recycled water determined to be suitable for direct potable reuse or surface water augmentation into a conveyance facility to be determined at the point where the recycled water enters the conveyance facility but prior to commingling with any raw water. The bill would require, before a discharge may be allowed, that consent be obtained from the owner or operator of the conveyance facility that directly receives the recycled water.

AB 850  
Nazarian

*Public capital facilities: water quality*

Existing law, the Marks-Roos Local Bond Pooling Act of 1985, authorizes joint powers authorities, among other powers, to issue bonds and loan the proceeds to local agencies to finance specified types of projects and programs. This bill would authorize specified joint powers authorities, upon the application of a local agency that owns and operates a publicly owned utility, as defined, to issue rate reduction bonds to finance a utility project, as defined, under specified circumstances. The bill would terminate the authority to issue rate reduction bonds pursuant to these provisions after December 31, 2020. The bill would provide that the rate reduction bonds are secured by utility project property, as defined. The bill would authorize the authority to impose on, and collect from, customers of the publicly owned utility a utility project

charge, as a separate nonbypassable charge, to finance the rate reduction bond. The bill would require the California Pollution Control Financing Authority to review each issue of rate reduction bonds for financing costs of a utility project and to determine whether the issue is qualified for issuance, as prescribed. The bill would require the California Pollution Control Financing Authority to establish procedures for the expeditious review of a proposed issuance, including, but not limited to, the establishment of reasonable application fees to reimburse the California Pollution Control Financing Authority for costs incurred, as specified. The bill would require the California Pollution Control Financing Authority to submit a prescribed report of its activities for the preceding calendar year to the Legislature no later than March 31 of each year.

AB 1126  
Gordon

*Solid waste: engineered municipal solid waste (EWSW) conversion*

(1) The California Integrated Waste Management Act of 1989 (act), which is administered by the Department of Resources Recycling and Recovery, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. With certain exceptions, the source reduction and recycling element of that plan is required to divert 50% of all solid waste, through source reduction, recycling, and composting activities. Existing law allows the 50% diversion requirement to include, pursuant to specified conditions, not more than 10% through biomass conversion, which is defined as the controlled combustion of specific materials for use in producing electricity or heat. Existing law defines the term “transformation” and excludes from that definition composting, gasification, and biomass conversion. This bill would define the terms “EMSW conversion” and “EMSW conversion facility,” and would make conforming changes to existing definitions with regard to those operations and facilities. The bill would additionally exclude EMSW conversion from the definition of transformation, and would allow a transformation facility that meets specified requirements relating to EMSW conversion to elect to be considered an EMSW facility for purposes of the act, except as provided. (2) The act requires the integrated waste management plan required to be adopted by a county to include a countywide siting element that provides a description of the areas to be used for the development of certain facilities. The act excludes certain solid wastes, for purposes of determining the base rate for the diversion of solid waste, and requires that the amount of solid waste diverted include solid waste diverted from a disposal facility or transformation facility. Existing law requires the department to determine compliance with the act’s 50% diversion requirement, based on the jurisdiction’s change in its per capita disposal rate and specifies the procedure for determining that rate. This bill would require the countywide siting element to include a description of the areas to be used for the development of adequate EMSW conversion, thereby imposing a state-mandated local program by imposing new duties upon local agencies. This bill would additionally exclude certain used tires or waste tires or biomass materials that are converted at an EMSW conversion facility from the per capita disposal determination and would require, for purposes of the solid waste calculation used in the base rate determination, the amount of solid waste to include solid waste diverted from an EMSW conversion facility. (3) Existing law prohibits a person from establishing or expanding a solid waste facility in a county, after a countywide or regional agency integrated waste management plan has been approved, unless the solid waste facility is, among other things, a disposal facility or a transformation facility that meets certain criteria. This bill would additionally include, as one of those facilities, an EMSW conversion facility.

AB 1168  
Pan

*Safe body art*

Existing law, the Safe Body Art Act, regulates the performance of body art, as defined, and the permitting of body art facilities. Existing law defines “body art facility” as the specified building, section of a building, or vehicle in which a practitioner performs body art. Under existing law, performing body art without being registered, operating a body art facility without a health permit, or operating a temporary body art event without a permit is a misdemeanor. This bill would add to the definition of “body art facility” places where body art is demonstrated for the purpose of instruction. The bill would also prohibit the performance of body art at a place

other than a permanent or temporary body art facility. This bill would also make it a misdemeanor to perform body art at an unpermitted location. By creating a new crime, this bill would impose a state-mandated local program. Existing law requires, prior to the performance of body art, a client to read, complete, and sign a questionnaire, which is considered confidential information, and an informed consent document containing specified information, including a statement regarding the permanent nature of body art. Existing law requires the body art facility to maintain the confidentiality of the information in the questionnaire and to shred the confidential medical information after 2 years. This bill would require any information gathered in the questionnaire that is personal medical information and that is subject to the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or similar state laws to be maintained or disposed of in compliance with those provisions. The bill would also require the informed consent document to include a notice that tattoo inks, dyes, and pigments have not been approved by the federal Food and Drug Administration and that the health consequences of using these products are unknown. Existing law requires a first-time registrant as a body art practitioner to provide documentation evidencing 6 months of related experience. This bill would remove this provision. Existing law establishes requirements for a body art facility to be granted a health permit and prohibits a facility from operating as a body art facility without that permit. A facility operating without a permit or other required licenses may be shut down by the local authority. Existing law specifies the requirements for a permitted body art facility, including floors, walls, and ceilings that are smooth, free of open holes, and washable. This bill would authorize a county to suspend or revoke the health permit of a body art facility if a person who does not possess a valid practitioner registration is allowed to perform body art. The bill would require a body art facility to notify the local enforcement agency within 30 days of the resignation, termination, or hiring of a body art practitioner. The bill would also make specified changes to the requirements for a body art facility, including that the floors and walls must be nonabsorbent, that the facility provide adequate toilet facilities, as specified, and that removal of sharps waste, as defined, be done in a specified manner. Existing law requires the sponsor of a temporary body art demonstration booth to ensure the availability of support facilities and supplies for body art practitioners and vendors, including providing an eye wash station. This bill would remove the requirement of an eye wash station at a temporary body art demonstration booth. The bill would require that the demonstration booth include at least 50 square feet for each practitioner and hand washing facilities, and would prohibit food and tobacco products in the demonstration booth. The bill would require the sponsor to submit a temporary facility permit application to the local enforcement authority within 30 days of the event, would prohibit a sponsor from allowing a person to perform body art at the event if the person does not have a valid body art practitioner registration, and would require the sponsor to ensure the availability of various facilities and supplies, including trash pickup, wastewater removal, and required forms and documents. Existing law requires a health permit for a practitioner who will be performing body art in a vehicle in a jurisdiction for more than 7 days in a 90-day period. This bill would instead prescribe requirements for mobile body art facilities, including that specified provisions of the Safe Body Art Act be met, that the mobile facility have certain amenities, and that all body art procedures be completed inside the mobile body art facility.

**AB 1252**     *Retail food safety*

Committee  
on Health

(1) Existing law, the California Retail Food Code, reestablishes uniform health and sanitation standards for retail food facilities, including mobile food facilities and temporary food facilities, by the State Department of Public Health. Existing law provides that local health agencies are primarily responsible for enforcing these provisions. A person who violates any provision of the code is guilty of a misdemeanor, except as otherwise provided. (2) The code requires a cottage food operation, as defined, to meet specified requirements relating to training, sanitation, preparation, labeling, and permissible types of sales. Existing law requires a "Class A" cottage food operation to register with the local enforcement agency in accordance with specified provisions. Existing law defines a "direct sale" with respect to cottage food operations as a transaction between a cottage food operation operator and a consumer, as specified. This bill



would redefine a “direct sale” for these purposes as a transaction within the state between a cottage food operation operator and a consumer, as specified. The bill would require a “Class A” cottage food operation to renew its registration annually. The bill would require a cottage food operator to retain a registration or permit or an accurate copy thereof onsite at the time of either direct or indirect cottage food sale. The bill would also make other related changes with respect to cottage food operations. (3) The code requires that all employees of food facilities thoroughly wash their hands before engaging in food preparation and before donning gloves for working with food. The code requires that employees wear gloves when contacting food and food-contact surfaces under certain conditions, including when they have cuts, sores, or rashes. The code also requires owners of food facilities and others, as specified, to require food employees to report to the person in charge if a food employee has a lesion or wound that is open or draining, as specified, unless the lesion is covered or protected. This bill would, among other things, revise the code to require handwashing when changing gloves, except as specified, and that employees wear single-use gloves, as specified, when contacting food and food-contact surfaces under the conditions described above. The bill would prohibit an employee who has a wound, as specified, that is open and draining from handling food, unless the wound is covered, as specified. The bill would make conforming changes to the reporting requirement described above. This bill would require food employees to wash their hands in accordance with specified provisions, and would prohibit food employees from contacting exposed, ready-to-eat food with their bare hands, except under specified circumstances. (4) The code requires that a mobile food facility have a water heater with a minimum capacity of 3 gallons, except as specified. This bill would increase the required minimum amount of capacity for a water heater on a mobile food facility to 4 gallons, or, if the facility only utilizes the water for handwashing purposes, require only 1/2 gallon, except as specified. The bill would make other changes relating to mobile food facilities. (5) The code requires that handwashing and utensil washing facilities approved by the enforcement officer be provided within nonprofit charitable temporary food facilities, except where food and beverage is prepackaged. This bill would authorize the local enforcement agency to allow a nonprofit charitable temporary food facility to provide an adequate supply of utensils and spare utensils when they have been properly washed and sanitized at an approved facility, under specified circumstances. (6) The code authorizes a warewashing sink to be shared by no more than 4 temporary food facilities that handle nonprepackaged food if the sink is centrally located and is adjacent to the sharing facilities. This bill would authorize the local enforcement agency to authorize up to 8 temporary food facilities to share a warewashing sink under specified circumstances, and would authorize the local enforcement agency to instead allow a temporary food facility to provide an adequate supply of utensils and spare utensils when they have been properly washed and sanitized at an approved facility, under specified circumstances. (7) The code requires a food facility to prevent the entrance and harborage of animals and prohibits a food employee from caring for or handling animals that may be present. The code permits a food employee with a service animal to handle or care for the service animal if the employee washes his or her hands as required. The code defines a service animal to mean a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. This bill would revise the definition of a “service animal” for purposes of the code to mean a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The definition would specifically exclude other species of animals, as specified. The bill would also define “highly susceptible population” and “hot dog” for purposes of the code and would make a clarifying change to the definition of “limited food preparation.”

AB 1329 *Hazardous waste*

V. Manuel (1) Existing law requires the Department of Toxic Substances Control to enforce the standards in the hazardous waste control laws and the regulations adopted to implement those laws. A violation of the hazardous waste control laws is a crime. This bill would require the department to prioritize an enforcement action affecting communities that have been identified by the California Environmental Protection Agency as being the most impacted environmental justice

Perez

communities. (2) Existing law prohibits a person from transporting hazardous waste, as specified, if the final destination of the transported hazardous waste is in a state other than this state or in a territory of the United States, unless the facility is issued a permit pursuant to the federal Resource Conservation and Recovery Act of 1976 or the facility is authorized by the state to accept that waste. This bill would instead prohibit a person from transporting hazardous waste, as specified, if the final destination of the transported hazardous waste is a domestic facility outside the jurisdiction of the state unless certain conditions apply to the facility, including whether the facility is subject to a cooperative agreement, as specified.

AB 1390     *Milk products: pasteurization: goat milk*

Committee on Agriculture     Existing law requires that all market milk and market milk products, and all milk for manufacturing purposes and manufactured milk products, be pasteurized at the plant where those products are processed and packaged. This provision does not apply to certain products, including licensed milk products plants that are used exclusively for the preparation of ice cream and other, specified milk products. This bill would additionally exempt from the above provision goat milk cheese produced at a licensed milk products plant that is manufactured from curds made from goat milk that has been pasteurized, ultrapasteurized, or aseptically processed at certain milk products plants. The bill would also make a technical change by deleting an obsolete provision.

AB 1398     *Solid waste: recycling: enforcement agencies*

Committee on Natural Resources     (1) The California Integrated Waste Management Act of 1989 (act) requires a business, which is defined as a commercial or public entity, that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more, to arrange for recycling services. Existing law also requires jurisdictions to implement a commercial solid waste recycling program meeting specified elements. Existing law defines commercial solid waste by reference to a specified regulation. This bill instead would define commercial solid waste to include all types of solid waste generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of 5 or more units, thereby imposing a state-mandated local program by imposing new requirements upon local jurisdictions. (2) The act provides for the designation of an enforcement agency under specified procedures, including by the board of supervisors of a county for purposes of the county, by the county and the cities within the county pursuant to a joint exercise of powers agreement, by a city council for purposes of the city, or by the board of supervisors of a county for purposes of the unincorporated area of the county. Existing law requires the Department of Resources Recycling and Recovery to prepare and adopt certification regulations for local enforcement agencies. This bill would deem the enforcement agency to be carrying out a state function governed by the act when exercising the authority or fulfilling the duties specified in certain provisions of the act. The bill would deem the enforcement agency, in carrying out this state function, to be independent from the local governing body, and the enforcement agency's actions would not be subject to the authority of the local governing body. The bill would make an enforcement agency, with regard to an action that it is authorized or required to take by a state law or local ordinance, which is not otherwise authorized or required by certain provisions of the act, subject only to that local ordinance or state law. (3) Existing law requires enforcement agencies to perform specified functions with regard to solid waste handling and the issuance and enforcement of solid waste facilities permits, including establishing and maintaining an enforcement program. Existing law allows the enforcement agency to establish specific local standards for solid waste handling and disposal and requires these standards to be consistent with the act. This bill would require those specific local standards for solid waste handling and disposal to be incorporated into the enforcement agency's enforcement program and approved by the department. (4) Existing law requires the enforcement agency, when issuing or revising a solid waste facilities permit, to ensure that primary consideration is given to protecting public health and safety and preventing environmental damage and that the long-term

protection of the environment is the guiding criterion. This bill would authorize the enforcement agency, when issuing or revising a solid waste facilities permit, to impose those terms and conditions on a solid waste facilities permit that it deems necessary and appropriate to govern the design and operation of the solid waste facility, for purposes of implementing those policies specified above. (5) Existing law requires an enforcement agency to hold a hearing upon a petition regarding an alleged failure to act as required by law. This bill would instead require the enforcement agency to hold that hearing upon a petition alleging a failure to act pursuant to specified provisions of the act, or the regulations adopted pursuant to specified provisions of the act, thereby imposing a state-mandated local program.

AB 1400  
Committee  
on Jobs,  
Economic  
Development,  
and the  
Economy

*Export documents: expiration*

The Sherman Food, Drug, and Cosmetic Law authorizes a person who ships to another state or country a food, drug, device, or cosmetic manufactured or produced in this state to request that the State Department of Public Health issue an export document to reference the shipment. Existing law requires that a person requesting an export document submit certain information and documents to the department, including original labels and advertising affixed to, accompanying, or relating to the food, drug, device, or cosmetic, and authorizes the department to accept copies if the submission of the original labels or advertising is impractical. Existing law also requires a person requesting an export document to submit specified fees to the department. Under existing law, an export document expires 180 days after its issue date. This bill would authorize a person requesting an export document to make the request in certain electronic formats, and would require the department to accept requests submitted by email or other electronic methods, including electronic copies of labels or advertising. The bill would require that the fees for requests made by email, facsimile, or the department's Internet Web site be submitted within specified time periods. The bill would require the department to develop procedures to expedite approval of requests for an export document in which the labels and advertising remain unchanged from a previously approved request for an export document for that food, drug, device, or cosmetic. The bill would further require that an export document expire one year after its issue date.

SB 4  
Pavley

*Oil and gas: well stimulation*

(1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation, or the division, regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor, or supervisor, supervises the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field regarding safety and environmental damage. Existing law requires an operator of a well, before commencing the work of drilling the well, to obtain approval from the supervisor or district deputy. Existing law requires the owner or operator of a well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well. Within 60 days after the date of cessation of drilling, rework, or abandonment operations, the owner or operator is required to file with the district deputy certain information, including the history of work performed. Under existing law, a person who violates any prohibition specific to the regulation of oil or gas operations is guilty of a misdemeanor. This bill would define, among other things, the terms well stimulation treatment, hydraulic fracturing, and hydraulic fracturing fluid. The bill would require the Secretary of the Natural Resources Agency, on or before January 1, 2015, to cause to be conducted, and completed, an independent scientific study on well stimulation treatments, including acid well stimulation and hydraulic fracturing treatments. The bill would require an owner or operator of a well to record and include all data on acid treatments and well stimulation treatments, as specified. The bill would require the division, in consultation with the Department of Toxic Substances Control, the State Air Resources Board, the State Water Resources Control Board, the Department of Resources Recycling and Recovery, and any local air districts and regional water quality control

boards in areas where well stimulation treatments may occur, on or before January 1, 2015, to adopt rules and regulations specific to well stimulation, including governing the construction of wells and well casings and full disclosure of the composition and disposition of well stimulation fluids, and would authorize the division to allow well stimulation treatments if specific conditions are met. The bill would require an operator to apply for a permit, as specified, with the supervisor or district deputy, prior to performing a well stimulation treatment of a well and would prohibit the operator from either conducting a new well stimulation treatment or repeating a well stimulation treatment without a valid, approved permit. The bill would prohibit the approval of a permit application that is incomplete. The bill would require the division, within 5 business days of issuing a permit to commence a well stimulation treatment, to provide a copy to specific boards and entities and to post the permit on a publicly accessible portion of its Internet Web site. The bill would provide that the well stimulation treatment permit expires one year from the date that a permit is issued. The bill would require the division to perform random periodic spot check inspections during well stimulation treatments, as specified. The bill would require the Secretary of the Natural Resources Agency to notify various legislative committees on the progress of the independent scientific study on well stimulation and related activities, as specified, until the study is completed and peer reviewed by independent scientific experts. The bill would require the operator to provide a copy of the approved well stimulation treatment permit to specified tenants and property owners at least 30 days prior to commencing a well stimulation treatment. The bill would require the operator to provide notice to the division at least 72 hours prior to the actual start of a well stimulation treatment in order for the division to witness the treatment. The bill would require the supplier, as defined, of the well stimulation treatment to provide to the operator, within 30 days following the conclusion of the treatment, certain information regarding the well stimulation fluid. The bill would require the operator, within 60 days of the cessation of a well stimulation treatment, to post or cause to have posted on an Internet Web site accessible to the public specified information on the well stimulation fluid, as specified. The bill would require the division to commence a process to develop an Internet Web site for operators to report specific information related to well stimulation treatments and would require the Internet Web site to be operational no later than January 1, 2016. The bill would authorize the division to direct reporting to an alternative Internet Web site, as prescribed, and would require the division to obtain the data reported to the alternative Internet Web site and make it available to the public, as specified. The bill would provide that where the division shares jurisdiction over a well with a federal entity, the division's rules and regulations apply in addition to all applicable federal law and regulations. The bill would require a supplier claiming trade secret protection for the chemical composition of additives used in a well stimulation treatment to disclose the composition to the division, in conjunction with a well stimulation treatment permit application, as specified, but would, with certain exceptions, prohibit those with access to the trade secret from disclosing it. Because this bill would create a new crime, it would impose a state-mandated local program. (2) Under existing law, a person who violates certain statutes or regulations relating to oil and gas well operations is subject to a civil penalty not to exceed \$25,000 for each violation. This bill would make persons who violate specified provisions relating to well stimulation treatments subject to a civil penalty of not less than \$10,000 and not to exceed \$25,000 per day per violation. (3) Existing law imposes an annual charge upon each person operating or owning an interest in an oil or gas well in respect to the production of the well which charge is payable to the Treasurer for deposit into the Oil, Gas, and Geothermal Administrative Fund. Existing law further requires that specific moneys from charges levied, assessed, and collected upon the properties of every person operating or owning an interest in the production of a well to be used exclusively, upon appropriation, for the support and maintenance of the department charged with the supervision of oil and gas operations. This bill would allow the moneys described above to be used for all costs associated with (A) well stimulation treatments, including scientific studies required to evaluate the treatment, inspections, and any air and water quality sampling, monitoring, and testing performed by public entities, and (B) the costs of the State Water Resources Control Board and the regional water quality control boards in carrying out specific responsibilities relating to well

stimulation and groundwater monitoring, as specified. This bill would require the supervisor, on or before January 1, 2016, and annually thereafter, to transmit to the Legislature and make available publicly a comprehensive report on well stimulation in the exploration and production of oil and gas resources in the state. (4) Existing law, the Groundwater Quality Monitoring Act of 2001, requires the State Water Resources Control Board to integrate existing monitoring programs and design new program elements, as necessary, to establish a comprehensive monitoring program capable of assessing each groundwater basin in the state through direct and other statistically reliable sampling approaches. This bill would require the state board, on or before July 1, 2015, to develop a groundwater monitoring model criteria, as specified, to be implemented either on a well-by-well basis or on a regional scale, on how to conduct appropriate monitoring on individual oil and gas wells subject to a well stimulation treatment in order to protect all waters designated for beneficial uses and prioritize the monitoring of groundwater that is or has the potential to be a source of drinking water.

**SB 54**  
**Hancock**      *Hazardous materials management: stationary sources: skilled and trained workforce*  
Existing law establishes an accidental release prevention program implemented by the Office of Emergency Services and the appropriate administering agency, as defined, in each city or county. Under existing law, stationary sources subject to this accidental release prevention program are required to prepare a risk management plan (RMP) when required under certain federal regulations or if the administering agency determines there is a significant likelihood that the use of regulated substances by a stationary source may pose a regulated substances accident risk. Under existing law, the RMP is required to be submitted to the California Environmental Protection Agency and to the administering agency. Existing law imposes criminal penalties upon a stationary source that knowingly violates requirements of the accidental release prevention program. This bill would require an owner or operator of a stationary source that is engaged in certain activities with regard to petroleum and with one or more covered processes that is required to prepare and submit an RMP, when contracting for the performance of construction, alteration, demolition, installation, repair, or maintenance work at the stationary source, to require that its contractors and any subcontractors use a skilled and trained workforce to perform all onsite work within an apprenticeable occupation in the building and construction trades, including skilled journeypersons paid at least a rate equivalent to the applicable prevailing hourly wage rate. The bill would not apply to oil and gas extraction operations. Because the bill would make a knowing violation of these requirements a crime, and would otherwise impose new duties upon local agencies administering the program, the bill would impose a state-mandated local program. This bill would require the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations to approve a curriculum of in-person classroom and laboratory instruction for approved advanced safety training for workers at high hazard facilities by January 1, 2016. The bill would define terms for purposes of the bill.

**SB 254**  
**Hancock**      *Solid waste: used mattresses: recycling and recovery*  
Existing law requires a retailer of various specified products, such as rechargeable batteries and cellular telephones, sold in the state to have in place a system for the acceptance and collection of those products for reuse, recycling, or proper disposal. This bill would establish the Used Mattress Recovery and Recycling Act. The bill would authorize a qualified industry association, as defined, to establish a mattress recycling organization, as defined. The bill would authorize the Department of Resources Recycling and Recovery to certify that a mattress recycling organization has been established. The bill would require the mattress recycling organization to develop, implement, and administer a mattress recycling program pursuant to the act. The bill would require manufacturers, retailers, and renovators of mattresses to register with the mattress recycling organization on or before January 1, 2015. This bill would prohibit, on and after January 1, 2016, a manufacturer, renovator, or retailer from, among other things, selling in, or

importing a mattress into, this state under circumstances of noncompliance with the bill's requirements. The act would require the retailer, by July 1, 2014, to give a consumer the option to have a used mattress picked up, at no additional cost, at the time a new mattress is delivered or be provided with an opportunity for free dropoff of the used mattress. This bill would require the mattress recycling organization, by July 1, 2015, to develop a state plan for recycling used mattresses in the state that includes specified goals and elements and to submit the plan to the department, as specified. The plan would be required to include, among other things, the provision of a mechanism to local governments and certain solid waste facilities for the recovery of illegally disposed mattresses that is funded, as specified. The plan would also be required to ensure that it addresses the impact of the requirement of the California Constitution that a local government submit the imposition, extension, or increase in a general or special tax, as defined, to the electorate for approval by a majority or 2/3 vote, respectively, with regard to local governments participating in the program. The bill would require the organization, by July 1, 2015, to annually prepare and approve a proposed used mattress recycling program plan budget for the next calendar year and to submit the budget to the department for approval, as specified. The bill would require the department to notify the organization of the department's costs that are directly related to implementing and enforcing the act and the organization would be required to reimburse the department for those direct costs. The bill would require the department to deposit these amounts submitted by the organization into the Used Mattress Recycling Fund, which the bill would establish in the State Treasury. The bill would require the department to expend the moneys in the fund, upon appropriation by the Legislature, to administer and enforce the act and to reimburse any outstanding loans made from other funds used to finance the startup costs of the department, as provided. This bill would require the organization to annually set the amount of a state mattress recycling charge that would be added to the purchase price of a mattress, and would require a manufacturer, renovator, retailer, wholesaler, distributor, or other party that sells a mattress to add the charge to the purchase price for the mattress and remit the charge collected to the organization. The bill would exempt mattresses manufactured by the Prison Industry Authority and purchased by the state from collecting and remitting the mattress recycling charge. This bill would authorize the department to impose an administrative civil penalty on a manufacturer, organization, recycler, renovator, or retailer in violation of the act. The bill would require the department to deposit these penalties into the Mattress Recovery and Recycling Penalty Account, which the bill would create in the Used Mattress Recycling Fund. The department would be authorized to expend the moneys in that account, upon appropriation by the Legislature, to implement the act. The bill would authorize the department to adopt emergency regulations in a specified manner with regard to establishing a process for the submission of the used mattress recovery and recycling plan to the department, and the approval of that plan, and for the submission of the proposed used mattress recycling program budget to the department, and the approval of the budget by the department.

SB 483  
Jackson

*Hazardous materials: business and area plans*

(1) Existing law requires the Secretary for Environmental Protection to adopt regulations and implement a unified hazardous waste and hazardous materials management regulatory program. Existing law establishes the respective responsibilities of unified program agencies, designated to implement that unified program locally and requires the secretary to establish a statewide information management system for purposes of receiving data collected by unified program agencies. Existing law establishes the responsibility of a local administering agency authorized to implement and enforce provisions that require (a) the administering agency to establish area plans for emergency response to a release or threatened release of a hazardous material and (b) a business that handles a hazardous material to establish and implement a business plan for such a response. Existing law authorizes a unified program agency to implement and enforce these provisions as an administering agency, as specified. Existing law specifies the contents of the business plan required of the hazardous materials handler and requires the plan to be submitted to the administering agency. Existing law requires the administering agency to submit to the Office of Emergency Services, the area plan, a plan to conduct onsite inspection, and a plan to

institute a data management system. A violation of the business plan requirements is a misdemeanor. This bill would revise and recast the area and business plan requirements and, among other things, would require instead that a unified program agency enforce these requirements. The bill would instead require the inspection program that is part of the unified program to include the onsite inspections of businesses and would delete the requirement to institute a data management system. The bill would require the unified program agency to provide to agencies that have certain shared responsibilities access to information collected in the statewide information management system and would require handlers to submit certain information to that system, as specified. The bill would require a business owner, operator, or officially designated representative to annually review and certify that the information in the statewide information database has been verified and is complete, accurate, and up to date. (2) Existing law imposes certain requirements on stationary sources handling regulated substances, as defined, including, among other things, the preparation and implementation of a risk management plan. A violation of these requirements is a misdemeanor. Existing law requires the administering agency, upon a determination that a risk management plan is complete, to publish in a daily local newspaper a notice of availability of the risk management plan for public review. This bill would extend the requirements to prepare and implement a risk management plan imposed on those stationary sources to apply to a person, as defined. Because this bill would expand the scope of a crime to include a person, this bill would impose a state-mandated local program. The bill would authorize the administering agency to place the notice on the administering agency's Internet Web site in lieu of publication in a daily local newspaper. (3) The bill would make legislative findings and declarations that the business and area plan provisions specified above conform to the changes in the law made by the Governor's Reorganization Plan No. 2, effective July 1, 2013, as proposed by AB 1317.

SB 667  
Roth

*Retail sale of shelled eggs*

Existing law prohibits a shelled egg from being sold or contracted for sale for human consumption in California if it is the product of an egg-laying hen that was confined on a farm or place that is not in compliance with animal care standards. Violation of these provisions is a misdemeanor. This bill would instead prohibit a shelled egg from being sold or contracted for sale for human consumption in California if the seller knows or should have known that the egg is the product of an egg-laying hen that was confined on a farm or place that is not in compliance with animal care standards.

## Community Health Services

**AB 191**      *CalFresh: categorical eligibility*

**Bocanegra** Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which each county distributes nutrition assistance benefits provided by the federal government to eligible households, and the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. In California, federal nutrition assistance benefits are administered through CalFresh. Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, pursuant to which medical benefits are provided to public assistance recipients and other low-income persons. Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under CalFresh for needy households who meet all other SNAP eligibility requirements, in accordance with federal law. This bill would require the State Department of Social Services, to the extent permitted by federal law, to design and implement a program of categorical eligibility for the purpose of establishing the gross income limit for the federal Temporary Assistance for Needy Families and state maintenance of effort funded service that confers categorical eligibility for any household that is categorically eligible and that includes a member who receives, or is eligible to receive, medical assistance under the Medi-Cal program.

**AB 224**      *Agricultural products: direct marketing: community-supported agriculture*

**Gordon** Existing law encourages the Department of Food and Agriculture to assist producers in organizing certified farmers' markets, field retail stands, farm stands, and other forms of direct marketing by providing technical advice on marketing methods and in complying with the regulations that affect direct marketing programs. This bill would also encourage the department to assist in organizing community-supported agriculture. The bill would require producers that market whole produce, shell eggs, or processed foods through single-farm or multi-farm community-supported agriculture programs, as defined, to register annually with the department as a California direct marketing producer, and, among other things, to specify whether the producer is part of a single-farm community-supported agriculture program or a multi-farm community-supported agriculture program. The bill would impose specified requirements relating to the labeling and maintenance of consumer boxes and containers that are used in community-supported agriculture programs to deliver farm products, and would require a registered California direct marketing producer to maintain records of the contents and origin of all of the items included in each consumer box or container in accordance with department regulations. The bill would require a registered California direct marketing producer to pay an annual registration fee of up to \$100, as provided, to be deposited in the Department of Food and Agriculture Fund, which would be used by the department for the administration of the bill's provisions. The bill would require the Secretary of Food and Agriculture to file an order to adopt, amend, or repeal regulations relating to the fee with the Office of Administrative Law, and would require the order to be filed with the Secretary of State in accordance with specified provisions. Existing law, the California Retail Food Code, establishes food safety requirements, and requires food to be obtained from approved sources, as defined. Existing law provides for the enforcement of the California Retail Food Code by enforcement officers, as defined, which includes the State Department of Public Health. Funds collected by the State Department of Public Health pursuant to those provisions are deposited in the Food Safety Fund for use by the State Department of Public Health, upon appropriation by the Legislature, for purposes of carrying out and implementing inspection provisions, as specified. This bill would specify that a registered California direct marketing producer is an approved source, subject to compliance with specified provisions of law, and would also specify that any whole uncut fruit or vegetable or unrefrigerated shell egg grown or produced in compliance with all applicable federal, state, and local laws, regulations, and food safety guidelines shall be deemed to be from an approved source. The bill would authorize enforcement officers to enter and inspect a community-



supported agriculture program in response to a public food safety complaint, and would authorize the enforcement officer to recover reasonable costs associated with that inspection from the registered California direct marketing producer operating the community-supported agriculture program.

AB 309      *CalFresh: homeless youth*

Mitchell      Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Further, existing law requires county welfare departments to develop information, and make that information available to homeless shelters, emergency food programs, and other community agencies that provide services to homeless people, on expedited services targeted to the homeless and to provide training to homeless shelter operators on CalFresh application procedures. This bill would clarify that eligibility for CalFresh benefits, including expedited services, is not dependent on the age of an applicant and would require county welfare departments, upon receipt of a signed CalFresh application from an unaccompanied child or youth under 18 years of age, to determine his or her eligibility for benefits, as specified, and entitlement to expedited services, as specified. If the application is denied, the county welfare department would be required to notify the child or youth in writing of the reason for the denial. This bill would also require that county welfare departments make information about CalFresh expedited services targeted to the homeless population available to local educational agency liaisons, as defined, and include information regarding CalFresh eligibility for unaccompanied homeless children and youths in the training provided to homeless shelter operators.

AB 346      *Runaway and homeless youth shelters*

Stone      Existing law, the California Community Care Facilities Act, provides for the licensing and regulation of community care facilities, as defined, by the State Department of Social Services. A violation of the act is a misdemeanor. This bill would include within the definition of a community care facility a runaway and homeless youth shelter, as defined. The bill would require the department to license as a group home a runaway and homeless youth shelter that meets specified requirements, including the requirement that shelter staff shall offer short-term, 24-hour nonmedical care and supervision and personal services to up to 25 youths who voluntarily enter the shelter. The bill would provide that a runaway and homeless youth shelter is not an eligible placement option under specified provisions. The bill would require the department to adopt regulations to implement these provisions and provide that, until those regulations become effective, the department may implement these provisions by publishing information releases or similar instructions from the director. By expanding the definition of a community care facility, this bill would change the definition of an existing crime, thus creating a state-mandated local program. Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Existing law requires a child or nonminor dependent to be placed in a specified placement in order to be eligible for AFDC-FC. Under existing law, foster care providers licensed as group homes have rates established by classifying each group home program and applying a standardized schedule of rates. This bill would exclude a runaway and homeless youth shelter as a group home in which a child or nonminor dependent may be placed for AFDC-FC eligibility purposes. The bill would also prohibit a runaway and homeless youth shelter program from being eligible for a rate pursuant to the above-mentioned provisions.

- AB 352  
Hall *Foster care: smoke-free environment*  
Existing law, the California Community Care Facilities Act, regulates various community care facilities, including foster family homes, foster family agencies, small family homes, transitional housing placement providers, and crisis nurseries, as defined, which provide care for foster children. The act requires the State Department of Social Services to adopt regulations for these facilities, and requires that regulations for a license prescribe standards of safety and sanitation for the physical plant and standards for basic personal care, supervision, and services based upon the category of licensure. Any person who violates the act, or who willfully or repeatedly violates any rule or regulation promulgated under the act, is guilty of a misdemeanor. This bill would require that group homes, foster family agencies, small family homes, transitional housing placement providers, and crisis nurseries licensed pursuant to the provisions described above that provide residential foster care to a child maintain a smoke-free environment in the facility. The bill would prohibit a person who is licensed or certified pursuant to these provisions and who is providing residential care in a foster family home or certified family home from smoking or permitting any other person to smoke inside the facility, and, when the child is present, on the outdoor grounds of the facility. The bill would also prohibit a person who is licensed or certified pursuant to these provisions from smoking in any motor vehicle that is regularly used to transport the child. Because a violation of the act, or the willful or repeated violation of any rule or regulation promulgated under the act, would be a crime, the bill would impose a state-mandated local program.
- AB 525  
Ting *Alcoholic beverages: licenses: theaters*  
Existing law, the Alcoholic Beverage Control Act, authorizes the Department of Alcoholic Beverage Control to issue a special on-sale general license to any nonprofit theater company, subject to specified requirements. The act provides that a violation of its provisions is a misdemeanor, unless otherwise specified. This bill would permit the department to issue a special on-sale general license to the operator of any for-profit theater located in the City and County of San Francisco, configured with theatrical seating, and primarily devoted to live theatrical performances, which would permit sales, service, and consumption of alcoholic beverages in the lobbies and seating areas of the theater at specified times. The bill would subject this license to limitations regarding the number of licenses that may be issued in a county and would not require the licensee to operate as a bona fide public eating place. The bill would except a theater to be licensed under its provisions from other prohibitions on public premises licenses, as specified. By expanding the definition of a crime, this bill would impose a state-mandated local program.
- AB 551  
Ting *Local government: urban agriculture incentive zones*  
(1) Existing law, the Williamson Act, authorizes a city or county to enter into 10-year contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law authorizes the parties to a Williamson Act contract to mutually agree to rescind a contract under the act in order to simultaneously enter into an open-space easement for a certain period of years. This bill would enact the Urban Agriculture Incentive Zones Act and would authorize, under specified conditions and until January 1, 2019, a city, county, or city and county and a landowner to enter into a contract to enforceably restrict the use of vacant, unimproved, or otherwise blighted lands for small-scale production of agricultural crops and animal husbandry. The bill would require a contract entered into pursuant to these provisions to, among other things, be for a term of no less than 5 years and to enforceably restrict property that is at least 0.10 acres in size. (2) Existing law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions to which the use of the land may be subjected. Under existing law these restrictions include, but are not limited to, zoning, recorded contracts with governmental agencies, and various other restrictions imposed by governments. This bill would

require the county assessor to value property that is enforceably restricted by a contract entered into pursuant to the Urban Agriculture Incentive Zones Act at the rate based on the average per-acre value of irrigated cropland in California, adjusted proportionally to reflect the acreage of the property under contract, as most recently published by the National Agricultural Statistics Service of the United States Department of Agriculture. The bill would also require the State Board of Equalization to post the per-acre land value as published by the National Agricultural Statistics Service of the United States Department of Agriculture on its Internet Web site within 30 days of publication, and to provide the rate to county assessors no later than January 1 of each assessment year.

AB 626

Fox

*School nutrition*

(1) Existing law, the 21st Century High School After School Safety and Enrichment for Teens program, referred to as High School ASSETs program, provides for the establishment of a high school after-school program that consists of an academic assistance element and an enrichment element. In selecting grantees to participate in the program, existing law requires the State Department of Education to consider specified criteria and requires an applicant to certify in the application, among other things, the inclusion of a nutritional snack and a physical activity element. This bill instead would require an applicant to certify in the application, among other things, the inclusion of a nutritional snack, meal, or both, and a physical activity element. (2) Existing law, the After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, and requires an entity that applies to operate a program to agree that snacks made available by the program conform to specified nutrition standards. The act requires an applicant to certify in the application, among other things, the inclusion of a nutritional snack. This bill would also require an entity that applies to operate a program to agree that meals made available by the program conform to specified federal nutrition standards. The bill instead would require an applicant to certify in the application, among other things, the inclusion of a nutritional snack, meal, or both. The act authorizes the Legislature to amend certain of its provisions to further its purposes by majority vote of each house. This bill would set forth a legislative finding and declaration that the bill's provisions further the purposes of the act. (3) Existing law requires a minimum of 50% of the items offered for sale each schoolday during regular school hours, as specified, be selected from a specified list including, among others, milk and dairy products and nonconfection grain products. This bill would repeal these provisions. (4) Existing law authorizes the governing board of any school district to establish cafeterias in the schools under its jurisdiction and authorizes the moneys received for the sale of food or for any services performed by the cafeterias to be paid into the county treasury to the credit of the cafeteria fund of the particular school district. Existing law requires the cafeteria fund to be used only for those expenditures authorized by the governing board of a school district as necessary for the operation of school cafeterias, including, but not limited to, expenditures for the lease or purchase of additional cafeteria equipment for the central food processing plant. Existing law authorizes the governing board of a school district to also make expenditures from the cafeteria fund for the construction, alteration, or improvement of a central food processing plant, for the installation of additional cafeteria equipment for the central food processing plant, and for the lease or purchase of vehicles used primarily in connection with the central food processing plant. Existing law also authorizes the governing board of a school district to authorize the establishment of one or more cafeteria revolving accounts whenever a cafeteria fund is operated. This bill would instead include as an authorized expenditure of the cafeteria fund expenditures for the lease or purchase of additional equipment for the kitchen or central food processing plant. The bill would instead authorize the governing board of a school district to make expenditures from the cafeteria fund for the purchase and installation of additional preparation, cooking, or service equipment for a kitchen or central food processing plant, including necessary alterations as specified, and for the lease or purchase of vehicles used solely in connection with the kitchen or central food processing plant. The bill would repeal the

authority of the governing board of a school district to create one or more cafeteria revolving accounts. (5) Existing law requires the cost of housing and equipping cafeterias to be a charge against the funds of the school district except that the governing board of a school district is authorized to make the cost of the lease or purchase of additional cafeteria equipment for a central food processing plant, and of vending machines and their installation and housing, a charge against cafeteria funds if the governing board of the school district deems it necessary. Existing law also authorizes the governing board of a school district, if school district funds are expended for the lease or purchase of additional cafeteria equipment for a central food processing plant, or for the lease, purchase, installation, or housing of vending machines, to reimburse school district funds from cafeteria funds within 5 years after the expenditure. This bill would instead require the cost of providing adequate housing for cafeterias, including, but not limited to, kitchen facilities, to be a charge against the funds of the school district. The bill would require the cost of the lease or purchase of cafeteria equipment and of vending machines and their installation and housing to be a charge against cafeteria funds. However, the governing board of a school district would be authorized to make the cost of the lease or purchase of cafeteria equipment for a kitchen or central food processing plant a charge against the funds of the school district if the governing board of the school district deems it necessary. The bill would also authorize the governing board of the school district, if school district funds are expended for the lease or purchase of kitchen equipment, or for the lease, purchase, installation, or housing of vending machines, as specified, to reimburse school district funds from cafeteria funds during the same fiscal year. The bill would require the governing board of a school district to only approve reimbursement for vending machines if specified conditions apply. Existing law authorizes the governing board of a school district to make the cost of maintenance of the physical plant used in connection with cafeterias, the cost of replacement of equipment, and the cost of telephone charges, water, electricity, gas, coal, wood, fuel oil, and garbage disposal a charge against the funds of the school district. This bill would instead authorize the governing board of a school district to make the cost of maintenance of kitchen facilities and the cost of replacement or maintenance of kitchen equipment a charge against cafeteria funds, and would add the costs of providing drinking water in the cafeteria a charge against cafeteria funds. (6) Existing law, the Pupil Nutrition, Health, and Achievement Act of 2001, requires each elementary school to sell only certain foods to a pupil during the schoolday, except for food items sold as part of a school fundraising event, if the items are sold by pupils of the school and the sale of those items either takes place away from school premises or takes place at least 1/2 hour after the end of the schoolday. Existing law defines “sold” and “full meal” for purposes of those provisions. This bill would instead make those provisions applicable from 1/2 hour before the start of the schoolday to 1/2 hour after the schoolday, and would include individually sold dairy or whole grain foods among the list of foods that may be sold. The bill would revise the requirements for the sale of food at school fundraising events by deleting the requirement that the items be sold by pupils. The bill would also revise the definition of “sold” and “full meal” for purposes of those provisions. (7) Existing law, and excluding food served as part of a United States Department of Agriculture (USDA) meal program, requires snacks and entrée items sold to a pupil in middle, junior, or high school to meet specified nutritional standards, and requires entrée items to also be categorized as entrée items in the School Breakfast Program or National School Lunch Program. Existing law authorizes the sale of food items that do not comply with these provisions in specific circumstances, including, but not limited to, if the sale of those items occurs during a school-sponsored pupil activity after the end of the schoolday. This bill would apply these restrictions to the sale of snacks and entrées to a pupil in middle school or high school from 1/2 hour before the start of the schoolday to 1/2 hour after the schoolday, and would remove the requirement that entrée items be categorized as entrée items in the School Breakfast Program or National School Lunch Program. The bill would also repeal the authority of a middle school or high school to permit the sale of food items that do not comply with the specified nutritional standards if the sale of those items occurs during a school-sponsored pupil activity after the end of the schoolday. (8) Existing law requires beverages that are sold to a pupil at an elementary school to meet specified nutritional standards, unless the school

authorizes the items to be sold by pupils of the school as part of a fundraising event, and the sale of those items either takes place away from school premises or takes place 1/2 hour or more after the end of the schoolday. This bill would delete 2%-fat milk from the specified nutritional standards and would delete the provision requiring the items to be sold by pupils of the school. (9) Existing law requires that only beverages that meet specified nutritional standards may be sold to a pupil at a middle or junior high school from 1/2 hour before the start of the schoolday to 1/2 hour after the end of the schoolday. Existing law authorizes a middle or junior high school to permit the sale of beverages that do not meet the specified nutritional standards as part of a school event if the sale of those items occurs during a school-sponsored event and takes place at the location of the event at least 1/2 hour after the end of the schoolday and vending machines, pupil stores, and cafeterias are used later than 1/2 hour after the end of the schoolday. This bill would delete 2%-fat milk from the specified nutritional standards and would require that only beverages that meet the same specified nutritional standards may be sold to a pupil at a high school for 1/2 hour before the start of the schoolday to 1/2 hour after the end of the schoolday. The bill would also authorize a middle school or high school to permit the sale of beverages that do not meet specified nutritional standards as part of a school event if either the sale of those items takes place away from the premises of the school or the sale of those items takes place on school premises at least 1/2 hour after the end of the schoolday. (10) Existing law prohibits a school or school district, during school hours and 1/2 hour before and after school hours, through a vending machine or school food service establishment, as defined, from making available to pupils enrolled in kindergarten, or grades 1 to 12, inclusive, food containing artificial trans fat, as defined, or use food containing artificial trans fat in the preparation of a food item served to those pupils unless the food is provided as part of a USDA meal program. This bill would instead prohibit a school or school district, from 1/2 hour before the start of the schoolday to 1/2 hour after the end of the schoolday, from selling to pupils enrolled in kindergarten, or grades 1 to 12, inclusive, food containing artificial trans fat, as defined, unless the food is provided as part of a USDA meal program. (11) Existing law requires the State Department of Education to establish a 3-year pilot program related to the Pupil Nutrition, Health, and Achievement Act of 2001, commencing in the fall of the 2002-03 school year, in which a total of not less than 10 high schools, middle schools, or any combination of high schools and middle schools that apply are selected to participate. This bill would repeal the provisions related to the pilot program. (12) Existing law authorizes the Superintendent of Public Instruction to monitor school districts for compliance with the Pupil Nutrition, Health, and Achievement Act of 2001, and requires each school district so monitored to report to the Superintendent in the coordinated review effort regarding the extent of the school district's compliance. Existing law requires a school district found to be noncompliant with certain provisions of that act to adopt a corrective action plan, as specified. This bill would repeal those provisions and require that compliance with the act be monitored by the State Department of Education in conformity with the USDA's administrative review process, as specified.

AB 636  
Hall

*Alcoholic beverages: tied-house restrictions*

Existing law, known as tied-house restrictions, prohibits specified licensees from furnishing, giving, or lending money or other things of value, directly or indirectly, to a person engaged in operating, owning, or maintaining an off-sale licensed premises. Existing law permits, until January 1, 2016, the appearance of a person employed or engaged by an authorized licensee at a promotional event held at the premises of an off-sale retail licensee for the purposes of providing autographs, subject to specified conditions. Existing law generally prohibits a winegrower, a California winegrower's agent, importer, or other specified parties from providing a licensee alcoholic beverages as a free good as a part of any sale or transaction involving alcoholic beverages or furnishing anything of value to a licensee for specified purposes. Existing law excepts from this prohibition a winegrower, California winegrower's agent, importer, or other specified parties when conducting or participating in an instructional event for consumers held at a retailer's premises featuring wines produced by or for the winegrower or imported by the importer, subject to specified conditions. The Alcoholic

Beverage Control Act provides that a violation of any of its provisions for which another penalty or punishment is not specifically provided is a misdemeanor. This bill would permit a winegrower, California winegrower's agent, importer, or other specified parties appearing at an instructional event, as specified, to provide autographs to consumers on consumer advertising specialties given by the person to a consumer or on any item provided by a consumer. The bill would expand the definition of an existing crime, thus imposing a state-mandated local program. The bill would also prohibit a requirement of the purchase of any alcoholic beverage in connection with the autographing.

AB 647  
Chesbro

*The Alcoholic Beverage Control Act: beer manufacturers: containers*

(1) Existing law defines a "beer manufacturer" as any person engaged in the manufacture of beer, and requires a license or permit to manufacture beer, unless the beer is manufactured for personal or family use under specified conditions. This bill would revise the definition of "beer manufacturer" to include only those persons that have facilities and equipment for the purposes of, and are engaged in, the commercial manufacture of beer. (2) The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, prescribes requirements for licenses for the manufacture, distribution, and sale of alcoholic beverages. The act requires that all beer sold in the state have a label affixed to its package or container with the true and correct name and address of the manufacturer of the beer and the true and correct name of the bottler of the beer if other than the manufacturer. The act provides that a violation of its provisions is a misdemeanor if not otherwise specified. This bill would require a beer label to include the brand and type of beer and would also require a beer manufacturer that refills any container supplied by a consumer to affix a label, as specified, on the container prior to its resale to the consumer. The bill would require information concerning any beer previously packaged in the container, including, but not limited to, information regarding the manufacturer and bottler of the beer, to be removed or completely obscured in a manner not readily removable by the consumer prior to resale. The bill would specify that this provision does not authorize a beer manufacturer to refill a container supplied by a consumer with a capacity of 5 liquid gallons or more. By expanding the definition of a crime, this bill would impose a state-mandated local program. (3) Existing provisions of the Alcoholic Beverage Control Act, known as tied-house restrictions, generally prohibit manufacturers, winegrowers, bottlers, importers, wholesalers, and others from performing certain activities, with specified exceptions. Existing law allows specified licensees to serve and provide, free of charge, food, alcoholic beverages, and other items to retail licensees and their guests attending meetings, conventions, combined conventions, and trade shows, as provided. This bill would also allow a beer manufacturer or brewpub-restaurant licensee to serve beer produced by the manufacturer or brewpub-restaurant licensee to attendees at a meeting of a bona fide beer manufacturer or brewers' guild held on the premises of a beer manufacturer.

AB 654  
Hall

*Direct marketing: certified farmers' markets*

(1) Existing law requires, until January 1, 2014, that every operator of a certified farmers' market remit to the Department of Food and Agriculture a fee equal to the number of certified producer certificates and other agricultural producers participating on each market day for the entire previous quarter to be deposited in the Department of Food and Agriculture Fund and used by the department, upon appropriation by the Legislature, as specified. This bill would extend these provisions until January 1, 2018. (2) Existing law authorizes California farmers to transport for sale and sell California-grown fresh fruits, nuts, and vegetables that they produce, directly to the public at a certified farmers' market, as specified. Existing law provides that it is unlawful for any person operating under these provisions to commit certain acts related to the conduct of farmers' markets, including to deceptively prepare, pack, place, deliver, load, ship, transport, or sell those products. Existing law, until January 1, 2014, provides that in lieu of prosecution, but not precluding suspension or revocation of certified producer's certificates or certified farmers' market certificates, the Secretary of Food and Agriculture or a county

agricultural commissioner may levy a civil penalty against a person who violates these provisions or any regulation implemented pursuant to these provisions, as specified. This bill would extend the provision authorizing the civil penalty until January 1, 2018.

**AB 779**      *Alcoholic beverages*

**Bocanegra**      The Alcoholic Beverage Control Act authorizes a licensed beer manufacturer to sell to consumers, at the licensed premises of production, for consumption off the premises, beer that is produced and bottled by, or produced and packaged for, that manufacturer and to sell beer to any person holding a license authorizing the sale of beer. The act provides that a violation of its provisions is a misdemeanor unless otherwise specified. This bill would authorize a licensed beer manufacturer that produces more than 60,000 barrels of beer per year to manufacture cider or perry, as defined, at the licensed premises of production and to sell cider or perry to any licensee authorized to sell wine. By expanding the definition of a crime, this bill would impose a state-mandated local program.

**AB 836**      *Dentists: continuing education*

**Skinner**      Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists by the Dental Board of California until January 1, 2016, at which time the board shall be subject to review by the appropriate policy committees of the Legislature. Existing law authorizes the board to require licentiates to complete continuing education hours as a condition of license renewal. Existing law authorizes the board to, by regulation, reduce the renewal fee for a licensee who has practiced dentistry for 20 years or more in this state, has reached the age of retirement under the federal Social Security Act, and customarily provides his or her services free of charge to any person, organization, or agency. This bill would prohibit the board from requiring a retired dentist who provides only uncompensated care to complete more than 60% of the hours of continuing education that are required of other licensed dentists. The bill would require all of those hours of continuing education to be gained through courses related to the actual delivery of dental services to the patient or the community, as determined by the board. The bill would require the board to report on the outcome of that provision, pursuant to, and at the time of, its regular sunset review process.

**AB 873**      *Housing: emergency housing and assistance funding*

**Chau**      Existing law requires the Department of Housing and Community Development to administer the Emergency Housing and Assistance Program. Under the program, moneys from the continuously appropriated Emergency Housing and Assistance Fund are available for the purposes of providing shelter, as specified, to homeless persons at as low a cost and as quickly as possible, without compromising the health and safety of shelter occupants, to encourage the move of homeless persons from shelters to a self-supporting environment as soon as possible, to encourage provision of services for as many persons at risk of homelessness as possible, to encourage compatible and effective funding of homeless services, and to encourage coordination among public agencies that fund or provide services to homeless individuals, as well as agencies that discharge people from their institutions. Existing law requires the department to distribute funds appropriated for activities providing for capital development programs, including acquisition, leasing, construction, and rehabilitation of sites for emergency shelter and transitional housing for homeless persons, as grants in the form of forgivable deferred loans, as prescribed. Existing law requires the department to make funding available to each project as a loan with a term of 5 years for rehabilitation, 7 years for substantial rehabilitation, or 10 years for acquisition and rehabilitation or new construction. This bill would authorize the department to also make funding available as a loan with a term of 20 years for conversion to permanent supportive housing for homeless families and individuals. Existing law requires that grants awarded by the department pursuant to these provisions be used by a grant recipient to defray costs of eligible activities defined in department regulations. This bill would provide that these

grants may also be awarded pursuant to department requirements and would authorize the department to develop requirements that are not subject to review by the Office of Administrative Law, as specified. The bill would also expand eligible activities to include capital development loans for the conversion of emergency shelter or transitional housing to permanent supportive housing for homeless families or individuals, and the provision of effective approaches to rapidly rehouse homeless clients, including homeless system assessments, street outreach and housing and services engagement efforts, coordinated care services, housing location and stabilization services, and rental assistance costs, including deposits and costs necessary for occupancy. The bill would require the department to give priority for capital development funds to applicants proposing capital development loans for the conversion of emergency shelter or transitional housing to permanent supportive housing for homeless families or individuals and to give priority for noncapital development funds to applicants that propose effective approaches to rapidly rehouse homeless clients and that leverage additional funding sources or focus on high-cost users of more than one system of care. The bill would require that the department, no later than June 30, 2015, transfer any unobligated Proposition 46 and Proposition 1C bond funds derived from bonds remaining in the Emergency Housing and Assistance Fund to the Housing Rehabilitation Loan Fund, less any funds needed for state operations to support outstanding awards as determined by the Department of Housing and Community Development, to be expended for the Multifamily Housing Program for supportive housing for a specified target population. By authorizing the use of continuously appropriated funds for new purposes, this bill would make an appropriation.

AB 933  
Skinner

*Distilled spirits manufacturers: licenses: tastings*

Existing law, the Alcoholic Beverage Control Act, authorizes a licensed distilled spirits manufacturer to conduct tastings of distilled spirits produced or bottled by, or produced or bottled for, the licensee, on the licensed premises, under specified conditions. Existing law generally prohibits a manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler from, among other things, giving or lending any money or other thing of value, directly or indirectly, to any person engaged in operating, owning, or maintaining any off-sale licensed premises. Existing law excepts from this prohibition the listing of names, addresses, telephone numbers, and email addresses, among other things, if specified conditions are met. Existing law provides that a violation of the act is a misdemeanor unless otherwise specified. This bill would revise the conditions upon which a distilled spirits manufacturer may conduct tastings, authorize a licensed distilled spirits manufacturer to charge consumers for tastings on its licensed premises, and would impose additional conditions on the provision of tastings by the licensee on the licensed premises. The bill would include in these conditions that tastings of distilled spirits not exceed a specified amount and be limited to 6 tastes to be provided to an individual per day. The bill would also extend the authorization to conduct tastings, as described above, to brandy manufacturers.

AB 1116  
Hall

*Alcoholic beverages: licenses*

Existing provisions of the Alcoholic Beverage Control Act generally prohibit manufacturers, winegrowers, bottlers, importers, wholesalers, and others from performing certain activities, with specified exceptions. Existing law, until January 1, 2014, permits specified licensees, or any authorized agent of those persons to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to a limited number of consumers over 21 years of age at an invitation-only event, held on specified premises, in connection with the sale or distribution of wine or distilled spirits, as provided. Existing law authorizes the Department of Alcoholic Beverage Control to impose a fee of up to \$200 on licensees conducting events pursuant to the above-described authorization, as provided. This bill would authorize the holding of these events on the premises of a hotel, as defined, would include in the authorization out-of-state distilled spirits shipper's certificate holders, would expand the number of consumers that may attend these events, would revise the conditions under which the event may be held,



would establish the fee at \$200, would revise requirements for providing the department with information regarding these events, and would extend the repeal date for these provisions until January 1, 2018.

AB 1425     *Alcoholic beverages*

Committee  
on  
Governmental  
Organization

(1) Under existing law, the Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control. Existing law requires the department to make an annual report to the Legislature on the department's activities, on or before March 1 of each year. This bill would require the department to post the report on its Internet Web site. (2) Existing law authorizes a person to manufacture beer or wine for personal or family use without the need for a license or permit, as provided. Existing law authorizes the removal of beer from the premises where made for use in competition at organized affairs, exhibitions, or competitions. Existing law authorizes the removal of wine from the premises where made, for use at organized affairs, exhibitions, or competitions, including homemakers' contests, tastings, or judgments, and prohibits that wine from being sold or offered for sale. This bill would revise the limitations on the use of beer and wine produced under the above-described circumstances, to authorize these products to be removed from the premises where made only when used in a bona fide competition or exhibition, for personal or family use, or when donated to a nonprofit organization for sale at a fundraising event, excluding nonprofit organizations that either promote home brewing or home winemaking or that are primarily composed of home brewers or home winemakers, as specified. The bill would require beer or wine donated to a nonprofit organization under the bill to be labeled with designated information, and would otherwise exempt it from complying with existing labeling requirements. (3) Existing law prohibits a licensed wine blender from owning or holding, directly or indirectly, a retailer's license. Existing law also provides that a wine blender's license does not authorize specified wine tasting activities. This bill would remove obsolete references from these provisions. (4) Existing law, until December 1, 2014, authorizes a beer manufacturer, holder of a winegrower's license, a California winegrower's agent, a distilled spirits manufacturer, holder of a distilled spirits rectifiers general license, a distilled spirits manufacturer's agent, and a licensed retailer to make monetary or alcoholic beverage contributions to a symphony association, as specified. The Alcoholic Beverage Control Act provides that a violation of any of its provisions for which another penalty or punishment is not specifically provided is a misdemeanor. This bill would delete the repeal of this provision, thereby authorizing these types of contributions indefinitely.

SB 116     *Personal income taxes: voluntary contributions: Emergency Food Assistance  
Liu            Program*

The Personal Income Tax Law allows taxpayers, until January 1, 2014, to designate on their tax returns that a specified amount in excess of their tax liability be contributed to the Emergency Food Assistance Program, unless repealed earlier for failure to meet annual minimum contribution amounts. This bill would extend the operation of these provisions until January 1, 2019.

SB 562     *Dentists: mobile or portable dental units*

Galgiani

Existing law, the Dental Practice Act, provides for the licensure and regulation by the Dental Board of California of those engaged in the practice of dentistry. Existing law provides that a person practices dentistry if the person, among other things, manages or conducts as manager, proprietor, conductor, lessor, or otherwise, in any place where dental operations are performed. Existing law authorizes a dentist to operate one mobile dental clinic or unit that is registered and operated in accordance with regulations adopted by the board. Existing law exempts specified mobile units from those requirements. Other provisions of existing law, the Mobile Health Care Services Act, require, subject to specified exemptions, licensure by the State Department of Health Care Services to operate a mobile service unit. This bill would eliminate the one mobile dental clinic or unit limit and would require a mobile dental unit or a dental practice that

routinely uses portable dental units, as defined, to be registered and operated in accordance with the regulations of the board. The bill would require any regulations adopted by the board pertaining to these matters to require the registrant to identify a licensed dentist responsible for the mobile dental unit or portable practice, and to include requirements for availability of followup and emergency care, maintenance and availability of provider and patient records, and treatment information to be provided to patients and other appropriate parties.

SB 672

Leno

*CalFresh: eligibility: guidelines*

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which nutrition assistance benefits are allocated to each state by the federal government. Under existing state law, the CalFresh program, California's federal allocation is distributed to eligible individuals by each county. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law. Existing law requires each county welfare department to carry out the local administrative responsibilities of this program, subject to the supervision of the department and to rules and regulations adopted by the department. This bill would require the department to issue guidance to simplify the verification of dependent care expense deductions necessary to determine a household's eligibility for, or the benefit level of, CalFresh. The bill would require that the guidance establish that dependent care expenses shall be considered verified upon receipt of a self-certified statement of monthly dependent care expenses, unless federal law requires, or the county human services agency requests, additional documentation, as specified. The bill would authorize the department to implement these provisions by all-county letters or similar instructions until regulations are adopted, and would require the department to adopt regulations on or before January 1, 2015.

SB 818

Committee on  
Governmental  
Organization

*Alcoholic beverages*

(1) The Alcoholic Beverage Control Act provides for the issuance of licenses for which various annual fees are charged depending upon the type of license issued. The act authorizes the issuance of a veterans' club license authorizing the sale of alcoholic beverages, as provided. This bill would revise the definition of a "veteran" for the purposes of the veterans' club license. (2) A public warehouse license authorizes the storage of alcoholic beverages for another licensee, including storage in specified warehouses. This bill would allow the department to issue the holder of a public warehouse license a duplicate of that license for each additional warehouse operated by the licensee, which authorizes the exercise of all the privileges of the original licensee at the additional warehouse or warehouses. (3) The Alcoholic Beverage Control Act limits the amount of the consideration that may accompany the intercounty transfer of on-sale and off-sale licenses to not more than \$10,000 or \$6,000, depending on the date of issue for the license, and lifts those limitations if the transfer occurs after 5 years, as specified. This bill would revise the limitation on the amount of consideration that may accompany an intercounty transfer to no more than the fee for the original on-sale or off-sale license. (4) The Alcoholic Beverage Control Act prohibits an off-sale licensee from delivering alcoholic beverages from an order received over the telephone without requiring proof of age and identity when the beverages are delivered. This bill would make this prohibition applicable to orders received via other electronic means. (5) The Alcoholic Beverage Control Act provides that a violation of any of its provisions for which another penalty or punishment is not specifically provided is a misdemeanor. This bill would expand existing crimes by imposing additional duties on a licensee under the act, thus the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

## Division of Communicable Diseases

### AB 446 *HIV testing*

Mitchell Existing law requires a medical care provider, prior to ordering an HIV test, to, among other things, provide information about the test, inform the patient that there are numerous treatment options available for a patient who tests positive for HIV, and inform the patient that a person who tests negative for HIV should continue to be routinely tested. Existing law, with specified exceptions, requires a written statement documenting the test subject's informed consent prior to the performance of an HIV test. Existing law exempts from these provisions HIV tests that are independently requested by the patient from specified providers. This bill would require that the medical care provider or the person who administers the test also provide a patient with specified information after the test results are received. The bill would require informed consent, as specified, either orally or in writing, except when a person independently requests an HIV test from an HIV counseling and testing site, as specified. The bill would require the person administering a test for a provider covered by the exemption to document the person's independent request for the test. The bill would also exempt clinical laboratories from the informed consent requirements. This bill would require every patient who has blood drawn at a primary care clinic, as defined, and who has consented to the test to be offered an HIV test, consistent with the United States Preventive Services Task Force recommendations for screening, and would specify the manner in which the results of that test are provided. Existing law regulates the disclosure of test results for HIV and other diseases. Existing law prohibits the disclosure of HIV test results by Internet posting or other electronic means unless the patient requests the disclosure, the healthcare professional deems it appropriate, and the health care professional has first discussed the results in person or over the phone. This bill would authorize disclosure of HIV test results by Internet posting or other electronic means if the HIV test subject is anonymously tested and the result is posted on a secure Internet Web site and can only be viewed with the use of a secure code that can access only a single set of test results and that is provided to the patient at the time of testing.

### AB 506 *HIV testing: infants*

Mitchell Existing law provides that a child may come within the jurisdiction of the juvenile court and become a dependent child of the court in, among others, cases of abuse and neglect. Under existing law, when a minor has been, or has a petition filed with the court to be, adjudged a dependent child of the court, the court may authorize, or order that a social worker may authorize, medical care for the minor, as prescribed. Under existing law, a social worker may, without court order, authorize medical care for a minor in emergency situations, as specified. Existing law authorizes a peace officer or social worker to take into temporary custody a minor when there is reasonable cause for believing that the minor is in immediate need of medical care or is in immediate danger, as specified. Under existing law, when a minor is taken into temporary custody and is in need of medical care, the social worker may, upon recommendation of the attending physician and surgeon, authorize the performance of medical care, as specified. Existing law provides that a minor under 12 years of age is deemed not competent to give consent for an HIV test to be performed, and authorizes the minor's parent, guardian, conservator, or other person lawfully authorized to make health care decisions on behalf of the minor to provide consent for the test. Under existing law, a court may also provide consent for the test to be performed on a minor who is adjudged to be a dependent child of the court. This bill would authorize a social worker to provide consent for an HIV test to be performed on an infant who is less than 12 months of age when the infant has been taken into temporary custody or has been, or has a petition filed with the court to be, adjudged a dependent child of the court and the infant is receiving medical care if, among other things, the attending physician and surgeon determines that HIV testing is necessary to render appropriate care to the infant. The bill would provide that if an infant tests positive for HIV infection and the physician and surgeon determines that immediate HIV medical care is necessary to render appropriate care to

that infant, that care shall be considered emergency medical care that may be authorized, without court order, by a social worker. Existing law requires health care providers and laboratories to report cases of HIV infection to a local health officer, as specified. This bill would require, if an infant tests positive for HIV infection, the social worker to provide to the physician and surgeon any available contact information for the biological mother for purposes of reporting the HIV infection to the local health officer.

AB 1215      *Clinical laboratories*

Hagman      Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. Existing law prohibits the performance of a clinical laboratory test or examination classified as waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) unless the test or examination is performed under the overall operation and administration of a laboratory director. Existing law defines “laboratory director,” for purposes of a clinical laboratory test or examination classified as waived, as an individual who, among others, is a duly licensed naturopathic doctor. Existing law defines “laboratory scientist” and authorizes a person licensed as a clinical laboratory scientist and qualified under CLIA to perform the duties and responsibilities of a technical consultant, clinical consultant, technical supervisor, and general supervisor, as specified under CLIA, in certain specialties. This bill would expand the definition of “laboratory director” for purposes of a clinical laboratory test or examination classified as waived to include a duly licensed clinical laboratory scientist and a duly licensed limited clinical laboratory scientist. The bill would authorize a person licensed as a clinical laboratory scientist and qualified under CLIA to additionally perform the duties and responsibilities of a waived laboratory director, as specified under CLIA.

SB 249      *Public health: health records: confidentiality*

Leno      Existing law requires health care providers and laboratories to report cases of HIV infection to the local health officer using patient names on a form developed by the State Department of Public Health. Existing law, commencing July 1, 2009, or within one year of the establishment of a state electronic laboratory reporting system, whichever is later, requires a report generated pursuant to that provision by a laboratory to be submitted electronically in a manner specified by the department. This bill would authorize both the local health officer and the department to access reports of HIV infection that are electronically submitted by laboratories pursuant to the above-described provision. Existing law authorizes state public health agency HIV surveillance staff, AIDS Drug Assistance Program staff, and care services staff to disclose personally identifying information in public health records relating to HIV or AIDS to local public health agency staff, who may further disclose the information to the HIV-positive person who is the subject of the record, or the health care provider who provides that person’s HIV care, for the purpose of proactively offering and coordinating care and treatment services to that person. This bill would authorize local public health agency staff to further disclose acquired or developed information to the HIV-positive person who is the subject of the record or the health care provider who provides that person’s HIV care, for that purpose. Existing law also provides specified health care coverage to individuals under the AIDS Drug Assistance Program (ADAP) and under federal Ryan White Act funded programs, which are administered by the State Department of Public Health. Existing law, with some exceptions, prohibits the disclosure of the results of an HIV test to any 3rd party in a manner that identifies or provides identifying characteristics of the person to whom the test results apply. Existing law also provides that public health records related to HIV or AIDS containing personal identifying information that were developed or acquired by a state or local public agency shall be confidential and shall not be disclosed, except as otherwise provided by law or pursuant to written authorization. This bill would authorize the State Department of Public Health, subject to specified provisions, and qualified entities, as defined, to share with each other health records involving the diagnosis, care, and treatment of HIV or AIDS related to a beneficiary enrolled in federal Ryan White Act

funded programs who may be eligible for services under the federal Patient Protection and Affordable Care Act (PPACA), as specified. The bill would make other related changes.

SB 294      *Sterile drug products*

Emmerson      (1) The Pharmacy Law provides for the licensure and regulation of pharmacists and pharmacy corporations in this state by the California State Board of Pharmacy. Existing law requires the board to adopt regulations establishing standards for compounding injectable sterile drug products in a pharmacy. Existing law requires pharmacies to obtain a license from the board, subject to annual renewal, in order to compound injectable sterile drug products. A similar licensing requirement applies to nonresident pharmacies compounding injectable sterile drug products for shipment into California. A violation of the Pharmacy Law is a crime. This bill, commencing July 1, 2014, would expand these provisions to prohibit a pharmacy from compounding or dispensing, and a nonresident pharmacy from compounding for shipment into this state, sterile drug products for injection, administration into the eye, or inhalation, unless the pharmacy has obtained a sterile compounding pharmacy license from the board. The bill, commencing July 1, 2014, would specify requirements for the board for the issuance or renewal of a license, and requirements for the pharmacy as a licensee. The bill would require the board to adopt regulations to implement these provisions, and, on and after July 1, 2014, to review formal revisions to specified national standards relating to the compounding of sterile preparations to determine whether amendments to those regulations are necessary, as specified. By adding additional requirements to the Pharmacy Law concerning sterile drug products, the violation of which is a crime, the bill would impose a state-mandated local program. (2) Existing law specifies the fee for issuance or renewal of a nongovernmental license to compound sterile drug products. This bill, commencing July 1, 2014, would establish the fee for the issuance or renewal of a nonresident sterile compounding pharmacy license in the amount of \$780 and would require the applicant to deposit a reasonable amount, as determined by the board, necessary to cover the board's estimated cost of performing an inspection of the nonresident pharmacy location, as specified. (3) The bill would also require the board to report to the Legislature, on or before January 1, 2018, regarding the regulation of nonresident pharmacies, including, among other things, a detailed description of board activities related to the inspection and licensure of nonresident pharmacies.

## Emergency Medical Services

### AB 535 *Emergency Alert System*

Quirk Existing law requires law enforcement agencies that are informed of the abduction of a child 17 years of age or younger, or an individual with a proven mental or physical disability, and determine the victim is in imminent danger of serious bodily injury or death, and that there is information available that, if disseminated to the general public, could assist with the safe recovery of the victim, to request, absent extenuating investigative needs, activation of the Emergency Alert System within the appropriate local area. This bill would require a law enforcement agency to request, absent extenuating investigative needs, activation of the system when the law enforcement agency receives a report that an abduction has occurred or that a child has been taken by anyone, including a custodial parent or guardian, and makes the above-described determinations.

### AB 633 *Emergency medical services: civil liability*

Salas Under existing law, a person who, in good faith and not for compensation, renders emergency medical or nonmedical care or assistance at the scene of an emergency is not liable for civil damages resulting from any act or omission, except as specified. Existing law further provides that a person who has completed a basic cardiopulmonary resuscitation course that complies with specified standards, and who in good faith renders emergency cardiopulmonary resuscitation at the scene of an emergency is not liable for any civil damages as a result of any act or omission, except as specified. Existing law provides that a health care provider, including any licensed clinic, health dispensary, or health facility, is not liable for professional negligence or malpractice for any occurrence or result solely on the basis that the occurrence or result was caused by the natural course of a disease or condition, or was the natural or expected result of reasonable treatment rendered for the disease or condition. This bill would prohibit an employer from having a policy of prohibiting an employee from providing voluntary emergency medical services, including, but not limited to, cardiopulmonary resuscitation, in response to a medical emergency, except as specified. The bill would state that these provisions do not impose any express or implied duty on an employer to train its employees regarding emergency medical services or cardiopulmonary resuscitation.

### AB 918 *Emergency services: preparedness*

Cooley The California Emergency Services Act sets forth the duties of the Office of Emergency Services with respect to specified emergency preparedness, mitigation, and response activities within the state. This bill would require the office, on or before July 31, 2015, to update the State Emergency Plan to include proposed best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs during an emergency or natural disaster.

### AB 135 *Earthquake early warning system*

Padilla There is in state government, pursuant to the Governor's Reorganization Plan No. 2, operative July 1, 2013, the Office of Emergency Services. Existing law requires the office to develop and distribute an educational pamphlet for use by kindergarten, any of grades 1 to 12, inclusive, and community college personnel to identify and mitigate the risks posed by nonstructural earthquake hazards. This bill would require the office, in collaboration with various entities, including the United States Geological Survey, to develop a comprehensive statewide earthquake early warning system in California through a public-private partnership and would require the system to include certain features, including the installation of field sensors. The bill would require the office to develop an approval mechanism, as provided, to review compliance with earthquake early warning standards as they are developed. The bill would require the office to identify funding sources for the system. The bill would prohibit the office from identifying the General Fund as a funding source to establish the system, beyond those components or

programs that are currently funded. The bill would make these provisions contingent upon the office identifying funding sources for the system, as provided. If no funding sources are identified by January 1, 2016, the bill would repeal these provisions.

SB 191  
Padilla

*Emergency medical services*

Existing law establishes the Maddy Emergency Medical Services (EMS) Fund, and authorizes each county to establish an emergency medical services fund for reimbursement of costs related to emergency medical services. Existing law, until January 1, 2014, authorizes county boards of supervisors to elect to levy an additional penalty, for deposit into the EMS Fund, in the amount of \$2 for every \$10 upon fines, penalties, and forfeitures collected for criminal offenses. Existing law, until January 1, 2014, requires 15% of the funds collected pursuant to that provision be used to provide funding for pediatric trauma centers. This bill would extend the operative date of these provisions until January 1, 2017. The bill would also make a technical, nonsubstantive change to these provisions.

SB 669  
Huff

*Emergency medical care: epinephrine auto-injectors*

(1) Existing law authorizes a school district or county office of education to provide emergency epinephrine auto-injectors to trained personnel, and authorizes that trained personnel to utilize those epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. The Pharmacy Law authorizes a pharmacy to furnish epinephrine auto-injectors to a school district or county office of education if certain conditions are met. A violation of the Pharmacy Law is a crime. Existing law requires the Emergency Medical Services Authority to establish training and standards for all prehospital emergency medical care personnel regarding the characteristics and method of assessment and treatment of anaphylactic reactions and the use of epinephrine, and to promulgate regulations therefor. This bill would authorize a prehospital emergency medical care person or lay rescuer to use an epinephrine auto-injector to render emergency care to another person, as specified. The bill would require the California Emergency Medical Services (EMS) Authority to approve authorized training providers and to establish and approve minimum standards for training and the use and administration of epinephrine auto-injectors. The bill would specify components to be included in the minimum training and requirements. The bill would authorize the director of the authority to deny, suspend, or revoke any approval or place any approved training provider on probation upon a finding by the director of an imminent threat to public health and safety, as prescribed. The bill would create the Specialized First Aid Training Program Approval Fund, and require the authority to assess a fee, to be deposited into the fund, to cover the reasonable costs incurred by the authority for the ongoing review and approval of training and certification. These provisions would not apply to a school district or county office of education, or its personnel, that provides and utilizes epinephrine auto-injectors to provide emergency medical care, as specified. The bill would provide that nothing in these provisions shall be construed to limit or restrict the ability of prehospital emergency medical care personnel to administer epinephrine, including the use of epinephrine auto-injectors, or to require additional training or certification, if the administration of epinephrine is part of their scope of practice. The bill would authorize a pharmacy to dispense epinephrine auto-injectors to a prehospital emergency medical care person or lay rescuer for the purpose of rendering emergency care in accordance with these provisions. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program. The bill would require epinephrine auto-injectors obtained by prehospital emergency medical care personnel to be used only when functioning outside the course of the person's occupational duties, or as a volunteer, as specified. (2) Under existing law, everyone is generally responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself. This bill would provide that a prehospital emergency medical care person or lay rescuer who administers an epinephrine auto-

injector, in good faith and not for compensation, to another person who appears to be experiencing anaphylaxis at the scene of an emergency situation is not liable for any civil damages resulting from his or her acts or omissions in administering the epinephrine auto-injector, if that person has complied with specified certification and training requirements and standards, except as specified.



**Family Health Services****AB 154      *Abortion***

**Atkins** Existing law makes it a public offense, punishable by a fine not exceeding \$10,000 or imprisonment, or both, for a person to perform or assist in performing a surgical abortion if the person does not have a valid license to practice as a physician and surgeon, or to assist in performing a surgical abortion without a valid license or certificate obtained in accordance with some other law that authorizes him or her to perform the functions necessary to assist in performing a surgical abortion. Existing law also makes it a public offense, punishable by a fine not exceeding \$10,000 or imprisonment, or both, for a person to perform or assist in performing a nonsurgical abortion if the person does not have a valid license to practice as a physician and surgeon or does not have a valid license or certificate obtained in accordance with some other law authorizing him or her to perform or assist in performing the functions necessary for a nonsurgical abortion. Under existing law, nonsurgical abortion includes termination of pregnancy through the use of pharmacological agents. Existing law, the Nursing Practice Act, provides for the licensure and regulation of registered nurses, including nurse practitioners and certified nurse-midwives, by the Board of Registered Nursing. Existing law, the Physician Assistant Practice Act, provides for the licensure and regulation of physician assistants by the Physician Assistant Board within the jurisdiction of the Medical Board of California. This bill would instead make it a public offense, punishable by a fine not exceeding \$10,000 or imprisonment, or both, for a person to perform an abortion if the person does not have a valid license to practice as a physician and surgeon, except that it would not be a public offense for a person to perform an abortion by medication or aspiration techniques in the first trimester of pregnancy if he or she holds a license or certificate authorizing him or her to perform the functions necessary for an abortion by medication or aspiration techniques. The bill would also require a nurse practitioner, certified nurse-midwife, or physician assistant to complete training, as specified, and to comply with standardized procedures or protocols, as specified, in order to perform an abortion by aspiration techniques, and would indefinitely authorize a nurse practitioner, certified nurse-midwife, or physician assistant who completed a specified training program and achieved clinical competency to continue to perform abortions by aspiration techniques. The bill would delete the references to a nonsurgical abortion and would delete the restrictions on assisting with abortion procedures. The bill would also make technical, nonsubstantive changes.

**AB 406      *Child abuse reporting***

**Torres** Existing law, until January 1, 2014, authorizes counties to establish a child abuse multidisciplinary personnel team, as defined, to allow provider agencies to share confidential information in order to investigate reports of suspected child abuse or neglect or for the purpose of child welfare agencies making detention determinations, as specified. Existing law authorizes members of the team, for 30 days, or longer if good cause exists, following a report of suspected child abuse or neglect, to disclose to and exchange with one another information and writings related to any incident of child abuse that are designated as confidential if the member of the team reasonably believes it is relevant to the prevention, identification, or treatment of child abuse. Existing law authorizes the disclosure and exchange of this information to occur telephonically and electronically if there is adequate verification of the identity of the multidisciplinary personnel who are involved in that disclosure or exchange of information. Existing law requires that the sharing of information permitted in the period following a report of suspected child abuse or neglect be governed by protocols developed in each county describing how and what information may be shared to ensure that confidential information is not disclosed in violation of state or federal law. This bill would delete the repeal of these provisions, thereby making them operate indefinitely.

AB 413 Chavez	<p><i>Foster care: specialized foster care homes</i></p> <p>Existing law requires the State Department of Social Services to establish specialized foster care homes for children with special health care needs, but generally prohibits more than 2 foster children from residing in a specialized foster care home, except as specified. Existing law permits a licensed small family home, except as specified, to accept more than 2 foster children under certain conditions, including that, if 4 or more foster children are physically present in the facility, on-call assistance is available at all times to respond in case of an emergency and that the home is sufficient in size to accommodate the needs of all children in the home. The bill would provide that the conditions described above that apply if 4 or more foster children are physically present, would apply if a licensed small family home exceeds the 2 child limit.</p>
AB 602 Yamada	<p><i>Mentally and developmentally disabled persons: reporting abuse</i></p> <p>Existing law requires the Commission on Peace Officer Standards and Training, in the Department of Justice, to establish and keep updated a continuing education classroom training course relating to law enforcement intervention with mentally disabled persons and requires the course to be developed in consultation with specified groups and entities. Existing law requires the commission to submit a report to the Legislature that contains specified information regarding this training. This bill would require the commission to establish, by July 1, 2015, and keep updated a training course relating to law enforcement interaction with mentally disabled or developmentally disabled persons living within a state mental hospital or state developmental center, as specified. The training course would be required for law enforcement personnel in law enforcement agencies with jurisdiction over state mental health hospitals and state developmental centers, as part of the agency's officer training program. By creating new duties for local officials, this bill would impose a state-mandated local program. Existing law requires specified people, known as mandated reporters, to report cases of elder or dependent adult abuse, as defined. Existing law requires a report to be made to designated investigators of the State Department of State Hospitals or the State Department of Developmental Services, or to the local enforcement agency if the suspected or alleged abuse occurred in a state mental hospital or state developmental center. Existing law also requires mandated reporters in the State Department of Developmental Services to immediately report suspected abuse to the Office of Protective Services or to the local law enforcement agency. Failure to make a report as required by existing law is a misdemeanor. This bill would instead require a report to be made to designated investigators of the State Department of State Hospitals or the State Department of Developmental Services, and also to the local enforcement agency, as specified, if the suspected or alleged abuse or neglect occurred in a state mental hospital or state developmental center and resulted in any specified incidents, including a death or a sexual assault. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. This bill would also remove the requirement that mandated reporters in the State Department of Developmental Services immediately report suspected abuse to the Office of Protective Services or to the local law enforcement agency. This bill would also require a local law enforcement agency to coordinate efforts with the designated investigators of the State Department of State Hospitals or the State Department of Developmental Services to provide a response to investigate reports received pursuant to specified provisions. By creating new duties for local officials, this bill would impose a state-mandated local program. Existing law requires a developmental center to immediately report resident deaths and certain serious injuries, including a sexual assault, to the local law enforcement agency having jurisdiction over the city or county in which the developmental center is located. This bill would specify that a developmental center is required to report that information immediately, but no later than within 2 hours of the mandated reporter observing, obtaining knowledge of, or suspecting abuse.</p>

- AB 652      *Child Abuse and Neglect Reporting Act: homeless children*  
Ammiano      Existing law, the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. This bill would provide that the fact that a child is homeless or is classified as an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.
- AB 906      *Personal services contracts*  
Pan          The State Civil Service Act authorizes state agencies to use personal services contracts if prescribed conditions are met. The act, with regard to personal services contracts permissible to achieve cost savings when certain conditions are met, requires the agency to notify the State Personnel Board of its intention to enter into such a contract and requires the board to contact all organizations that represent state employees who perform the type of work to be contracted. The act also makes personal services contracts permissible under other specified conditions, without regard to cost savings. The act requires the board, at the request of an employee organization that represents state employees, to review the adequacy of a proposed or executed personal services contract, as specified. This bill would amend the act to prohibit the execution of those proposed personal services contracts permissible under specified conditions, without regard to cost savings, until the state agency proposing to execute the contract has notified all organizations that represent state employees who perform the type of work to be contracted. The bill would require the Department of General Services to establish a process to certify that notification.
- AB 980      *Primary care clinics: abortion*  
Pan          Existing law requires the California Building Standards Commission to codify all building standards of adopting agencies or state agencies that propose the building standards and statutes defining building standards into one California Building Standards Code. Existing law requires the commission to publish, or cause to be published, editions of the building standards code in its entirety once every 3 years. This bill would state the intent of the Legislature that all primary care clinics, including primary care clinics that provide abortion services, be subject to the same licensing and building standards. The bill would require the commission, in conjunction with the Office of Statewide Health Planning and Development (OSHPD), to repeal a specific provision of the 2013 Triennial Edition of the Building Standards Code, as soon as possible. The bill would grant OSHPD emergency regulatory authority to implement these provisions, and would make these regulations permanent without further regulatory action. The bill would require the State Department of Public Health, no later than July 1, 2014, to repeal certain regulations relating to abortion services in primary care clinics.
- AB 1000      *Physical therapists: direct access to services: professional corporations*  
Wieckowski      Existing law, the Physical Therapy Practice Act, creates the Physical Therapy Board of California and makes it responsible for the licensure and regulation of physical therapists. The act makes it a crime to violate any of its provisions. The act authorizes the board to suspend, revoke, or impose probationary conditions on a license, certificate, or approval issued under the act for unprofessional conduct, as specified. This bill would specify that patients may access physical therapy treatment directly and would, in those circumstances, require a physical therapist to refer his or her patient to another specified healing arts practitioner if the physical therapist has reason to believe the patient has a condition requiring treatment or services beyond that scope of practice or if the patient is not progressing, to disclose to the patient any financial interest he or she has in treating the patient, and, with the patient's written authorization, to notify the patient's physician and surgeon, if any, that the physical therapist is treating the patient. The bill would prohibit a physical therapist from treating a patient who initiated services directly for the lesser of more than 45 calendar days or 12 visits, except as specified, and would

prohibit a physical therapist from performing services on that patient before obtaining the patient's signature on a specified notice regarding these limitations on treatment. The bill would provide that failure to comply with these provisions constitutes unprofessional conduct subject to disciplinary action by the board. Because the bill would specify additional requirements under the Physical Therapy Practice Act, the violation of which would be a crime, it would impose a state-mandated local program. The Moscone-Knox Professional Corporation Act provides for the organization of a corporation under certain existing law for the purposes of qualifying as a professional corporation under that act and rendering professional services. The act authorizes specified healing arts practitioners to be shareholders, officers, directors, or professional employees of a designated professional corporation, subject to certain limitations relating to ownership of shares. Existing law also defines a medical corporation or podiatry corporation that is authorized to render professional services as long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are physicians, psychologists, registered nurses, optometrists, podiatrists or, in the case of a medical corporation only, physician assistants, are in compliance with the act. This bill would specify that those provisions do not limit employment by a professional corporation of only those specified licensed professionals. The bill would authorize any person duly licensed under the Business and Professions Code, the Chiropractic Act, or the Osteopathic Act to be employed to render professional services by a professional corporation. The bill would expressly add physical therapists and occupational therapists to the list of healing arts professionals who may be professional employees of a medical corporation or podiatry corporation, and would add licensed physical therapists to the list of healing arts practitioners who may be shareholders, officers, or directors of a medical corporation or a podiatric medical corporation. The bill would also provide that specified healing arts licensees may be shareholders, officers, directors, or professional employees of a physical therapy corporation. The bill would also require a practitioner, except as specified, who refers a patient to a physical therapist who is employed by a professional corporation to make a specified disclosure to the patient.

AB 1041  
Chesbro

*Developmental services: Employment First Policy*

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide support and services to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP), developed in accordance with prescribed requirements. Existing law requires the State Council on Developmental Disabilities to, among other responsibilities, form a standing Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase integrated employment, as defined, self-employment, and microenterprises for persons with developmental disabilities, as specified. This bill would define competitive employment, microenterprises, and self-employment for these purposes. The bill would additionally require the Employment First Committee to identify existing sources of consumer data that can be matched with employment data, as specified, and to recommend goals for measuring employment participation and outcomes for various consumers within the developmental services system. The bill would require the State Council on Developmental Disabilities to develop an informational brochure about the Employment First Policy, translate the brochure into various languages, and post the brochure on the council's Internet Web site. This bill would require each regional center planning team, when developing an individual program plan for a transition age youth or working age adult, to consider a specified Employment First Policy. The bill would also require regional centers to provide consumers 16 years of age or older, and, when appropriate, other specified persons, with information about the Employment First Policy, options for integrated competitive employment, and services and supports, including postsecondary education, that are available to enable the consumer to transition from school to work, and to achieve the outcomes of obtaining and maintaining integrated competitive employment. The bill would authorize the department to request information from regional centers on current and planned activities related to the Employment First Policy.

- AB 1108 *Sex offenders: foster care homes: prohibitions*  
Perea Existing law requires every person convicted of certain offenses, for the rest of his or her life while residing in California, or while attending school or working in California, as specified, to register with the chief of police of the city in which he or she is residing, or the sheriff of the county if he or she is residing in an unincorporated area or city that has no police department, and, additionally, with the chief of police of a campus of the University of California, the California State University, or community college if he or she is residing upon the campus or in any of its facilities, within 5 working days of coming into, or changing his or her residence within, any city, county, or city and county, or campus in which he or she temporarily resides, and to register thereafter as specified. Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care facilities, including group homes and foster family homes, by the State Department of Social Services. Existing law provides for the certification of foster homes by foster family agencies. This bill would, subject to exception, prohibit any person who is required to register as a sex offender, based upon the commission of an offense against a minor, from residing, working, or volunteering in specified foster homes or facilities, as provided. The bill would provide that violation of the prohibition is a misdemeanor.
- AB 1133 *Foster children: special health care needs*  
Mitchell Under existing law, the State Department of Social Services licenses foster families, and the department and each county provide assistance to foster parents of low-income children under the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program. Existing law requires the department to develop a program, to be administered by the department and county social services departments, for the establishment of foster care homes for children with special health care needs with foster parents trained by health care professionals pursuant to the discharge plan of the facility releasing the child being placed in, or currently in, foster care. Existing law requires each county department of social services to develop a specified plan for foster care placement of children with special health care needs. This bill would clarify that a medically fragile child, as defined, meets the definition of a child with special health care needs for the purposes of these provisions. The bill would require that, when determining the placement of a foster child who is medically fragile, priority consideration be given to placement with a foster parent who is an individual nurse provider, as defined, who provides health services under the federal Early and Periodic Screening, Diagnosis and Treatment program, but that this priority consideration be subordinate to the preference granted to a relative of the child, in accordance with federal law.
- AB 1232 *Developmental services: quality assessment system*  
V. Manuel  
Perez Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires the department to implement a quality assessment system, as prescribed, to enable the department to assess the performance of the state's developmental services system and to improve services for consumers. Under existing law, the department is required, in consultation with stakeholders, to identify a valid and reliable quality assurance instrument that assesses consumer and family satisfaction, provision of services, and personal outcomes, and, among other things, includes outcome-based measures such as health, safety, and well-being. Under existing law, the department is required to contract with an independent agency or organization that is, in part, experienced in designing valid quality assurance instruments, to implement the system. This bill would additionally require the quality assurance instrument to assess the provision of services in a linguistically and culturally competent manner and include outcome-based measures to evaluate the linguistic and cultural competency of regional center services that are provided to consumers across their lifetimes. This bill would require the independent agency or organization the department contracts with to be experienced in issues relating to linguistic and cultural

competency. The bill would include legislative findings and declarations.

AB 1308  
Bonilla

*Midwifery*

Existing law, the Licensed Midwifery Practice Act of 1993, provides for the licensing and regulation of midwives by the Board of Licensing of the Medical Board of California. The license to practice midwifery authorizes the holder, under the supervision of a licensed physician and surgeon, as specified, to attend cases of normal childbirth and to provide prenatal, intrapartum, and postpartum care, including family-planning care, for the mother, and immediate care for the newborn. The act requires a midwife to immediately refer all complications to a physician and surgeon. Under the act, a licensed midwife is required to make certain oral and written disclosures to prospective clients. Under the act, the board is authorized to suspend or revoke the license of a midwife for specified conduct, including unprofessional conduct consisting of, among other things, incompetence or gross negligence in carrying out the usual functions of a licensed midwife. A violation of the act is a crime. This bill would, among other things, no longer require a physician and surgeon to supervise a licensed midwife. The bill would require, if a potential midwife client fails to meet the conditions of a normal pregnancy or childbirth, as defined, but still desires to be a client, that the licensed midwife refer the woman to a physician and surgeon for examination. The bill would require the board to adopt regulations specifying certain of those conditions. The bill would authorize the licensed midwife to assist the woman only if the physician and surgeon determines, after examination, that the risk factors presented by the woman's disease or condition are not likely to significantly affect the course of pregnancy and childbirth. The bill would require a licensed midwife to immediately refer or transfer the client to a physician and surgeon if at any point during pregnancy, childbirth, or postpartum care a client's condition deviates from normal. The bill would authorize the licensed midwife to resume primary care of the client if the physician and surgeon determines that the client's condition or concern has been resolved, and to provide concurrent care if the client's condition or concern has not been resolved, as specified. This bill would additionally authorize a licensed midwife to directly obtain supplies and devices, obtain and administer drugs and diagnostic tests, order testing, and receive reports that are necessary to his or her practice of midwifery and consistent with his or her scope of practice. The bill would require a licensed midwife to make additional disclosures to prospective clients, including, among other things, the specific arrangements for referral of complications to a physician and surgeon, and to obtain written, informed consent of those disclosures, as prescribed. By increasing the duties of a licensed midwife under the Licensed Midwifery Practice Act of 1993, the violation of which is a crime, the bill would impose a state-mandated local program. The bill would authorize the board to suspend or revoke the license of a licensed midwife for failing, when required, to consult with a physician and surgeon, to refer a client to a physician and surgeon, or to transfer a client to a hospital. The bill would require, if a client is transferred to a hospital, that the hospital report each transfer of a planned out-of-hospital birth to, among others, the board, using a form developed by the board. Existing law requires a licensed midwife who assists, or supervises a student midwife in assisting, in childbirth that occurs in an out-of-hospital setting to annually report specified information to the Office of Statewide Health Planning and Development. This bill would authorize the board, with input from the Midwifery Advisory Council, to adjust the data elements required to be reported to better coordinate with other reporting systems, as specified. Existing law requires an approved midwifery education program to offer the opportunity for students to obtain credit by examination for previous midwifery education and clinical experience. This bill would, beginning January 1, 2015, prohibit new licensees from substituting clinical experience for formal didactic education. Existing law requires a licensed alternative birth center, and a licensed primary care clinic that provides services as an alternative birth center, to meet specified requirements, including the presence of at least 2 attendants during birth, one of whom shall be either a physician and surgeon or a certified nurse-midwife. This bill would provide that a licensed midwife may also satisfy that requirement.

SB 126 Steinberg	<p><i>Health care coverage: pervasive developmental disorder or autism</i></p> <p>Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide benefits for specified conditions, including coverage for behavioral health treatment, as defined, for pervasive developmental disorder or autism, except as specified. A willful violation of these provisions with respect to health care service plans is a crime. These provisions are inoperative on July 1, 2014, and are repealed on January 1, 2015. This bill would extend the operation of these provisions until January 1, 2017.</p>
SB 129 Wirght	<p><i>Deaf and disabled telecommunications program</i></p> <p>(1) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires the commission to oversee administration of the state's telecommunications universal service programs, including the deaf and disabled programs, which are funded through the Deaf and Disabled Telecommunications Program Administrative Committee Fund. Existing law, until January 1, 2014, requires the commission to establish a surcharge, not to exceed 0.5%, that is uniformly applied to a subscriber's intrastate telephone service charges to allow providers of the equipment and service provided pursuant to the deaf and disabled programs to recover their costs. Existing law, until January 1, 2016, requires the commission to submit a report on the fiscal status of the programs to the Legislature on or before December 31 of each year. Existing law requires the report to include, among other things, an evaluation of options for controlling program expenses and program efficiency, as specified. This bill would extend imposition of the surcharge until January 1, 2020. The bill would extend the reporting requirements until January 1, 2021, and would require the commission to submit the report to the Legislature on or before March 1 of each year. This bill would also require the report to include an evaluation of any modification to the program that would maximize participation and funding opportunities under similar federal programs. As part of the report that is due no later than March 1, 2014, this bill would require the commission to evaluate options for controlling the program costs of providing speech-generating devices, and include any information on barriers to participation by eligible subscribers. (2) Existing law requires the commission to design and implement a program to provide access to a speech-generating telecommunications device to any subscriber who is certified as having a speech disability at no charge additional to the basic exchange rate. Existing law also requires the commission to expand the deaf and disabled program to include assistance to individuals with speech disabilities, including assistance in purchasing speech-generating devices, accessories, and mounting systems, and specialized telecommunications equipment. This bill would delete the first provision, described above, that requires the commission to expand the program to include assistance to individuals with speech disabilities, including assistance in purchasing speech-generating devices, accessories, and mounting systems, and specialized telecommunications equipment. (3) Existing law states the intent of the Legislature that existing members of the Deaf and Disabled Telecommunications Program Administrative Committee should serve out their current terms of office as members of the committee, but not to exceed July 1, 2003. Existing law requires the committee to develop and submit, not later than October 1, 2002, recommendations to the commission for administration and governance of the deaf and disabled programs, as prescribed. The bill would repeal these provisions. (4) Under the Public Utilities Act, a violation of any order, decision, rule, direction, demand, or requirement of the commission by a public utility is a crime. Because the bill would require an order or decision of the commission to extend the surcharge funding the deaf and disabled programs and because a violation of these requirements would be a crime, the bill would impose a state-mandated local program by expanding the definition of a crime. This bill would declare that it is to take effect immediately as an urgency statute.</p>

SB 208

Lara

*Public social services: contracting*

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with regional centers to provide services and supports to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP), developed in accordance with prescribed requirements. Existing law authorizes the regional center to, among other things, solicit an individual or agency, by requests for proposals (RFPs) or other means, to provide needed services or supports that are not available to achieve the stated objectives of a consumer's IPP. This bill would require an RFP that is prepared by a regional center for consumer services and supports to include a section on issues of equity and diversity, as specified. The bill would require an RFP that applies only to specifically identified consumers to only request information on how the applicant plans to provide culturally and linguistically competent services and supports to those specific consumers. The bill would make findings and declarations in that regard. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law authorizes the department to enter into various types of contracts for the provision of services to beneficiaries, including contracts with prepaid health plans, as defined. Existing law requires all subcontracts entered into by prepaid health plans to, among other things, contain the amount of compensation or other consideration that the subcontractor will receive under the terms of the subcontract, except as provided. Existing law prohibits a prepaid health plan from entering into a subcontract in which consideration is determined by a percentage of the primary contractor's payment from the department. This bill would eliminate that prohibition and instead authorize a prepaid health plan, unless the department objects, to enter into a subcontract in which consideration is determined by a percentage of the primary contractor's payment from the department.

SB 342

Yee

*Foster children: social worker: visits*

Existing law requires that all foster children who are placed in group homes by county welfare departments or county probation departments be visited at least monthly by a county social worker or probation officer, and that each visit include a private discussion between the foster child and the county social worker or probation officer that is not held in the presence or immediate vicinity of the group home staff. Existing law also requires a county social worker or probation officer to make a regular visit with a child in any licensed, certified, or approved foster home, and requires that the visit include a private discussion between the foster child and the social worker or probation officer that is not held in the presence or immediate vicinity of the foster parent or caregiver. This bill would require that the location of monthly visits for each foster child who is placed in a group home or a licensed, certified, or approved foster home by a county welfare department or a county probation department comply with specified federal requirements. The bill would prohibit more than 2 consecutive monthly visits from being held outside the residence of the foster child and, if the visit does not occur in the place of residence, would require the social worker or probation officer to document in the case file and in the court report the location of the visit and the reason for the visit occurring outside the place of residence. The bill would also require the social worker or probation officer to advise the foster child that he or she has the right to request that the private discussion occur outside the group home or foster home. The bill would provide, however, that if a foster child requests to have the private discussion outside the group home or foster home, that private discussion shall not replace the visit in the group home or foster home. The bill would also provide that the social worker or probation officer shall not be required to schedule an additional visit to accommodate the request. By imposing additional duties on county employees, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,



reimbursement for those costs shall be made pursuant to these statutory provisions.

- SB 367  
Block *Developmental services: regional centers: cultural and linguistic competency*  
Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is required to contract with regional centers to provide support and services to individuals with developmental disabilities. Existing law requires the governing board of the regional center to satisfy specified requirements, including annually reviewing the performance of the director of the regional center, and providing necessary training and support to board members. This bill would require that this training and support include issues relating to linguistic and cultural competency, and would require each regional center to post on its Internet Web site information regarding the training and support provided. The bill would require the governing board to annually review the performance of the regional center in providing services that are linguistically and culturally appropriate and would authorize the governing board to provide recommendations to the director of the regional center based on the results of that review.
- SB 402  
De Leon *Breastfeeding*  
Existing law provides for the licensure and regulation of health facilities, including hospitals, by the State Department of Public Health. Existing law, commencing January 1, 2014, requires all general acute care hospitals and special hospitals that have a perinatal unit, as defined, to have an infant-feeding policy. This bill would require all general acute care hospitals and special hospitals that have a perinatal unit to adopt, by January 1, 2025, the “Ten Steps to Successful Breastfeeding,” as adopted by Baby-Friendly USA, per the Baby-Friendly Hospital Initiative, or an alternate process adopted by a health care service plan that includes evidenced-based policies and practices and targeted outcomes, or the Model Hospital Policy Recommendations as defined.
- SB 460  
Pavley *Prenatal Testing program: education*  
Existing law imposes various responsibilities upon the State Department of Public Health and prenatal care providers with respect to prenatal care, screening, and counseling. Existing law requires the department to develop an education program designed to educate physicians and surgeons and the public concerning the uses of prenatal testing and the availability of the prenatal testing program. This bill would require the department to include prescribed information regarding environmental health in the California Prenatal Screening Program patient educational information, and to post that environmental health information on the department’s Internet Web site. This bill would require the department to send a notice to all distributors of the patient educational information that informs them of the change to that information, and encourages obstetrician-gynecologists and midwives to discuss environmental health with their patients.
- SB 468  
Emmerson *Developmental services: statewide Self-Determination Program*  
Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with regional centers to provide services and supports to individuals with developmental disabilities. Under existing law, the regional centers purchase needed services and supports for individuals with developmental disabilities through approved service providers, or arrange for their provision through other publicly funded agencies. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP), developed in accordance with prescribed requirements. Existing law establishes, contingent upon approval of a federal waiver, the Self-Directed Services Program, and requires the program to be available in every regional center catchment area to provide participants, within an individual budget, greater control over needed services and supports. This bill would require the department, contingent upon approval of federal funding, to establish and implement a state Self-Determination Program, as defined, that would

be available in every regional center catchment area to provide participants and their families, within an individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPP, in accordance with prescribed requirements. The statewide program would be phased in over 3 years, serving up to 2,500 regional center consumers during the phase-in period, and thereafter, available on a voluntary basis to all eligible regional center consumers. The bill would require the department to, among other things, apply for federal funding for the program by December 31, 2014. This bill would provide that program participants receive an individual budget, as prescribed, to be used for the purchase of services and supports necessary to implement the participant's IPP. The bill would require program participants to agree to, among other things, manage self-determination services and supports within the individual budget. The bill would require the department to require nonvended providers of services and supports who meet specified criteria to submit to a criminal background check, as specified. The bill would require the department, with respect to this background check, to submit fingerprint images and related information to the Department of Justice, and would require the Department of Justice to provide specified responses to the department. The bill would require the Department of Justice to charge a fee sufficient to cover the cost of processing this request. The bill would, among other things, require each regional center to be responsible for implementing the program as a term of its contract, and to establish a local voluntary advisory committee to provide oversight of the project. The bill would require the State Council on Developmental Disabilities to form a volunteer statewide committee to, among other things, identify self-determination best practices. The bill would require the State Council on Developmental Disabilities, in collaboration with specified entities, to issue to the Legislature a report regarding the status of the program and recommendations to the program, as specified, and would require the department, beginning January 10, 2017, to provide to the appropriate policy and fiscal committees of the Legislature prescribed information relating to the program.

SB 522  
Hueso

*Foster Family Home and Small Family Home Insurance Fund*

Existing law establishes within the State Department of Social Services the Foster Family Home and Small Family Home Insurance Fund for the purposes of paying, on behalf of foster family homes and small family homes, as defined, claims of foster children, their parents, guardians, or guardians ad litem resulting from occurrences peculiar to the foster care relationship and the provision of foster care services. Under existing law, the fund is not liable for any loss arising out of a dishonest, fraudulent, criminal, or intentional act of any person, or for damages of more than \$300,000 for any single foster family home or small family home for all claims arising due to one or more occurrences during a single calendar year. This bill would narrow that limitation on the liability of the fund to exclude only a loss arising out of a dishonest, fraudulent, criminal, or intentional act of a foster parent, except as specified. The bill would also limit the liability of the fund to damages of no more than \$300,000 for any single home for all claims arising during a consecutive 12-month period, instead of during a single calendar year. The bill would require that multiple incidents of a general course of conduct be considered one occurrence, regardless of the period of time during which the acts transpired, and would provide that the fund shall be liable only once for damages arising from that one occurrence.

SB 555  
Correa

*Developmental services: regional centers: individual program plans and individualized family service plans*

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with regional centers to provide services and supports to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP) or individualized family service plan (IFSP), developed in accordance with prescribed requirements. Existing law states that it is the intent of the Legislature to ensure that the individual program plan and provision of services and supports by the regional center system is

centered on the individual and the family of the individual with developmental disabilities and takes into account the needs and preferences of the individual and the family, as specified. This bill would require a regional center to communicate and provide written materials in the family's native language during the IFSP process. The bill would require the family's native language to be documented in the IFSP. The bill would similarly require a regional center to communicate in the consumer's native language, or, when appropriate, the native language of his or her family, legal guardian, conservator, or authorized representative, during the IPP planning process and to provide alternative communication services, including a copy of the IPP in the native language of the consumer or his or her family, legal guardian, conservator, or authorized representative, or both. The bill would require the native language of the consumer or his or her family, legal guardian, or authorized representative, or both, to be documented in the IPP. Under existing law, a person believed to have a developmental disability or to have a high risk of parenting a developmentally disabled infant is eligible for initial intake and assessment in the regional centers, as specified. This bill would require a regional center to communicate with the consumer and his or her family pursuant to those provisions in their native language.

SB 651  
Pavley

*Developmental centers and state hospitals*

Existing law establishes the State Department of Developmental Services and sets forth its powers and duties relating to the administration of the state developmental centers. Existing law establishes the State Department of State Hospitals and sets forth its powers and duties relating to the administration of state hospitals. This bill would require designated investigators of developmental centers and state hospitals to request a sexual assault forensic medical examination for any resident of a developmental center or any resident of a state hospital, as applicable, who is a victim or is reasonably suspected to be a victim of sexual assault, as defined, performed at an appropriate facility off the grounds of the developmental center or state hospital in accordance with specified provisions. The bill would authorize a sexual assault forensic medical examination to be performed at a developmental center or a state hospital by an independent sexual assault forensic examiner designated to perform examinations of victims of sexual assault in the jurisdiction of the developmental center or state hospital only under specified circumstances. Existing law requires a developmental center to immediately report specified incidents involving a resident to the local law enforcement agency having jurisdiction over the city or county in which the developmental center is located. Existing law provides for the licensure and regulation of health facilities, including long-term health care facilities, as defined, by the State Department of Public Health. Existing law provides for a citation system for the imposition of civil penalties against long-term health care facilities, including penalties specifically applicable to certain skilled nursing facilities and intermediate care facilities, in violation of applicable laws and regulations. This bill would deem a developmental center's failure to report an incident that occurs in a distinct part long-term health care facility to local law enforcement a class B violation subject to certain penalties, as specified. The bill would provide that if the incident occurs in the general acute care hospital or acute psychiatric hospital portion of the developmental center, a failure to immediately report the incident would be subject to a civil penalty of \$100 for each day the incident is not reported.

SB 816  
Committee  
on Health

*Hospice facilities: developmental disabilities: intellectual disability*

(1) Existing law provides for the licensure and regulation of health facilities, including hospice facilities, by the State Department of Public Health. A violation of those provisions is a crime. Existing law requires a freestanding hospice facility to meet specified requirements relating to the physical environment of the facility until the Office of Statewide Health Planning and Development, in consultation with the Office of the State Fire Marshal, develops and adopts building standards for hospice facilities. This bill would instead require the Office of the State Fire Marshal to develop and adopt the building standards for hospice facilities in consultation with the Office of Statewide Health Planning and Development and would make other technical changes. (2) Existing law, the Lanterman Developmental Disabilities Services Act, requires the

State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities, defined to include mental retardation and disabling conditions related to, or requiring treatment similar to, mental retardation. This bill would revise this definition of developmental disabilities to instead include intellectual disability and disabling conditions closely related to, or requiring treatment similar to, intellectual disability.

## Public Health Administration

AB 464      *Vital records*

Daly      Under existing law, a certified copy of a birth, death, marriage or military service record may only be supplied by the State Registrar, local registrar, or county recorder to an authorized person, as defined, who submits a written or faxed request accompanied by a notarized statement sworn under penalty of perjury that the applicant is an authorized person. This bill would additionally authorize the request and the notarized statement to be a digitized image, as defined. The bill would remove the application of these provisions to requests for certified copies of a military service record as requests for certified copies of those records are also subject to different provisions of existing law. Existing law authorizes proof of the execution of an instrument by certain persons and prescribes the form for that proof. Existing law authorizes the use of a specified form as a certificate for proof of execution of an instrument. This bill would instead require the specified form to be used as a certificate for proof of execution of an instrument, and would make several changes to the form. Existing law authorizes, if title to real property is affected by the death of a person, any person to record evidence of the death in the county in which the property is located by providing specified documents, which may include, among other things, a certified copy of a record of the death, as specified. This bill would provide that a certified copy of a record of death includes a certified copy or informational certified copy issued by the State Registrar, local registrar, or county recorder pursuant to specified provisions.

AB 1028      *Vocational nursing: interim permits*

Patterson      Existing law, the Vocational Nursing Practice Act, provides for the licensure and regulation of the practice of licensed vocational nursing by the Board of Vocational Nursing and Psychiatric Technicians. Existing law requires an applicant for a vocational nurse license to have successfully completed specified courses of studies from a school accredited by the board, and provides for the issuance of a license upon successful completion of a written examination, among other criteria. Existing law provides that if the application for licensure by examination is received by the board no later than 4 months after completion of a board-approved nursing program and approval of the application, the board may issue an interim permit authorizing the applicant to practice vocational nursing pending the results of the first licensing examination, or for a period of 9 months, whichever occurs first. This bill would authorize an applicant to submit an application for an interim permit at the same time as the applicant submits his or her application for licensure by examination, and would require the board to make a decision whether to issue the interim permit, and, if the board decides to issue the interim permit, to issue the interim permit to the applicant within 60 days of receiving the completed application.

SB 271      *Associate Degree Nursing Scholarship Program*

Hernandez      Existing law establishes, until January 1, 2014, the statewide Associate Degree Nursing (A.D.N.) Scholarship Pilot Program in the Office of Statewide Health Planning and Development to provide scholarships to students, in accordance with prescribed requirements, in counties determined to have the most need. Existing law provides that the program be funded from the Registered Nurse Education Fund, and administered by the Health Professions Education Foundation within the office. This bill would extend the operation of this program indefinitely and would require the office to post A.D.N. Scholarship Program statistics and updates on its Internet Web site. The bill would also make related technical changes.

## Climate Change

AB 8

Perea

### *Alternative fuel and vehicle technologies: funding programs*

(1) Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures, for the development and deployment of innovative technologies that would transform California's fuel and vehicle types to help attain the state's climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including block grants administered by public entities or not-for-profit technology entities for multiple projects, education and program promotion within California, and development of alternative and renewable fuel and vehicle technology centers. Existing law requires the commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law also creates the Air Quality Improvement Program, administered by the State Air Resources Board, to fund air quality improvement projects related to fuel and vehicle technologies. This bill would provide that the state board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any supplier, as defined, to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen-fueling station. The bill would require the state board to aggregate and make available to the public, no later than June 30, 2014, and every year thereafter, the number of hydrogen-fueled vehicles that motor vehicle manufacturers project to be sold or leased over the next 3 years, as reported to the state board, and the number of hydrogen-fueled vehicles registered with the Department of Motor Vehicles through April 30. The bill would require the commission to allocate \$20 million annually, as specified, until there are at least 100 publicly available hydrogen-fueling stations in California. The bill, on or before December 31, 2015, and annually thereafter, would require the commission and the state board to jointly review and report on the progress toward establishing a hydrogen-fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state, as specified. The bill would authorize the commission to design grants, loan incentive programs, revolving loan programs, and other forms of financial assistance, as specified, for purposes of assisting in the implementation of these provisions. The bill would repeal the above provisions on January 1, 2024. The bill, no later than July 1, 2014, would require the state board, in consultation with air pollution control and air quality management districts, to convene working groups to evaluate the specified policies and goals of specified programs. The bill would add intelligent transportation systems as a category of projects eligible for funding under the Alternative and Renewable Fuel and Vehicle Technology Program. The bill would require the commission and the state board, in making awards under both the Alternative and Renewable Fuel and Vehicle Technology Program and the Air Quality Improvement Program, to provide a preference to projects with higher benefit-cost scores, as defined. (2) Existing law creates the enhanced fleet modernization program to provide compensation for the retirement of passenger vehicles, and light-duty and medium-duty trucks that are high polluters. Existing law provides that under this program compensation for retired vehicles for a low-income motor vehicle owner, as defined, is \$1,500, and for all other motor vehicle owners, it is \$1,000. Existing law authorizes this compensation to be increased by the department based on various factors, including the emissions benefits of the vehicle's retirement. This bill would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500, would make this compensation available to an owner in addition to the compensation for a retired vehicle, and would prohibit compensation for all other motor vehicle owners from exceeding the compensation for low-income motor vehicle owners. The bill would instead authorize an increase in the compensation under these programs for either retired or replacement vehicles only for low-income motor vehicle owners as necessary to balance maximizing air

quality benefits of the program while ensuring participation by low-income motor vehicle owners, as specified. (3) Existing law, until January 1, 2016, increases vehicle registration fees, vessel registration fees, and specified service fees for identification plates by a specified amount. Existing law requires the revenue generated by the increase in those fees to be deposited in the Alternative and Renewable Fuel and Vehicle Technology Fund and either the Air Quality Improvement Fund or the Enhanced Fleet Modernization Subaccount, as provided. Existing law, until January 1, 2016, imposes on certain vehicles a smog abatement fee of \$20, and requires a specified amount of this fee to be deposited in the Air Quality Improvement Fund and in the Alternative and Renewable Fuel and Vehicle Technology Fund. This bill would extend those fees in the amounts required to make these deposits into the Alternative and Renewable Fuel and Vehicle Technology Fund, the Air Quality Improvement Fund, and the Enhanced Fleet Modernization Subaccount until January 1, 2024, at which time the fees would be reduced by those amounts. (4) Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which is administered by the state board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from sources in the state and for funding a fueling infrastructure demonstration program and technology development efforts. Existing law, beginning January 1, 2015, limits the Carl Moyer program to funding projects that reduce emissions of oxides of nitrogen (NO<sub>x</sub>). This bill would extend the current authorization for the Carl Moyer program to fund a broader range of projects that reduce emissions until January 1, 2024, and would make other conforming changes in that regard. The bill also would delete obsolete references and make conforming changes to the Carl Moyer program. (5) Existing law authorizes the district board of the Sacramento Metropolitan Air Quality Management District to adopt a surcharge on motor vehicle registration fees applicable to all motor vehicles registered in the counties within that district. Existing law, until January 1, 2015, raises the limit on the amount of that surcharge from \$4 to \$6 for a motor vehicle whose registration expires on or after December 31, 1990, and requires that \$2 of the surcharge be used to implement the Carl Moyer program, as specified. Beginning January 1, 2015, existing law returns the surcharge limit to its previous amount of \$4. This bill would extend the \$6 limitation on the surcharge until January 1, 2024, with the limit returning to \$4 beginning on that date. (6) Existing law authorizes each air district that has been designated a state nonattainment area by the state board for any motor vehicle air pollutant, except the Sacramento Metropolitan Air Quality Management District, to levy a surcharge on the registration fees for every motor vehicle registered in that air district, as specified by the governing body of the air district. Existing law requires the Department of Motor Vehicles to collect that surcharge if requested by an air district, and requires the department, after deducting its administrative costs, to distribute the revenues to the air districts. Existing law, until January 1, 2015, raises the limit on the amount of that surcharge from \$4 to \$6 and requires that \$2 of the surcharge be used to implement the Carl Moyer program, as specified. Beginning January 1, 2015, existing law returns the surcharge limit to its previous amount of \$4. This bill would extend the \$6 limitation on the surcharge until January 1, 2024, with the limit returning to \$4 beginning on that date. (7) Existing law imposes, until January 1, 2015, a California tire fee of \$1.75 per tire on every person who purchases a new tire, with the revenues generated to be allocated for prescribed purposes related to disposal and use of used tires. Existing law requires that \$0.75 per tire on which the fee is imposed be deposited in the Air Pollution Control Fund with these moneys to be available upon appropriation by the Legislature for use by the state board and air districts for specified purposes. Existing law reduces the tire fee to \$0.75 per tire on and after January 1, 2015. This bill would instead set the tire fee at \$1.75 per tire until January 1, 2024, and reduce the tire fee to \$0.75 per tire on and after January 1, 2024.

AB 217      *Electricity: solar electricity: low-income households*  
 Bradford      Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Decisions of the commission adopted the California Solar Initiative administered by the state's 3 largest electrical corporations and subject to the commission's supervision. Existing law requires the commission to ensure that not less than

10% of the funds for the California Solar Initiative are utilized for the installation of solar energy systems, as defined, on low-income residential housing, as defined. Pursuant to this requirement, the commission adopted decisions that established the Single-Family Affordable Solar Homes Program (SASH) and the Multifamily Affordable Solar Housing Program (MASH), pursuant to which the electrical corporations provide monetary incentives for the installation of solar energy systems on low-income residential housing. The SASH and MASH programs will operate until December 31, 2016, or until funds collected for the above purposes are exhausted, whichever occurs sooner. This bill would, upon the expenditure or reservation of those funds reserved for low-income residential housing, authorize the surcharge collected by the electrical corporations for the California Solar Initiative to continue to provide funding for the administration of the SASH and MASH programs. The bill would require the commission to ensure the total amount resulting from the continued collection of the charge does not exceed \$108,000,000. The bill would extend the operation of the SASH and MASH programs to December 31, 2021, or until the exhaustion of that amount, whichever occurs sooner. The bill would require the SASH and MASH programs to meet specified requirements. The bill would make legislative findings and declarations that it is the goal of the state to install solar energy systems that have a generating capacity equivalent to 50 megawatts for low-income residential housing and that the commission designs a program that maximizes the overall benefit to ratepayers. Because a violation of any order, decision, rule, direction, demand, or requirement of the commission is a crime, this bill would impose a state-mandated local program by extending the application of a crime.

**AB 266** *Vehicles: high-occupancy vehicle lanes*

**Blumenfield** Existing federal law authorizes, until September 30, 2017, a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). Existing state law authorizes the Department of Transportation to designate certain lanes for the exclusive use of HOVs, which lanes may also be used, until January 1, 2015, or until the Secretary of State receives a specified notice, by certain low-emission, hybrid, or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. A violation of provisions relating to HOV lane use by vehicles with those identifiers is a crime. This bill would extend the operation of those provisions for certain low-emission vehicles to January 1, 2019, or until federal authorization expires, or until the Secretary of State receives that specified notice, whichever occurs first. The bill would until January 1, 2015, or until the Secretary of State receives that specified notice, authorize the department to issue a valid identifier to a vehicle that meets California's transitional zero-emission vehicle (TZEV) standard. The bill would also repeal duplicate provisions of law, delete obsolete provisions of law relating to hybrid vehicles, and make additional conforming changes.

**AB 341** *Green building standards*

**Dickinson** Existing law requires the California Building Standards Commission to codify all building standards of adopting agencies or state agencies that propose the building standards and statutes defining building standards into one California Building Standards Code. Existing law provides that if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, the commission shall adopt, approve, codify, update, and publish green building standards for those occupancies. This bill would require the commission and state agencies that propose green building standards to allow for input by other state agencies that have expertise in green building subject areas. The bill would require the process by which these other state agencies shall submit suggested changes for consideration to be adopted as administrative regulations that include certain elements. Existing law requires that funds deposited into the Building Standards Administration Special Revolving Fund be expended, upon appropriation, to carry out specified provisions of law that relate to building standards, with emphasis placed on the development, adoption, publication, updating, and



educational efforts associated with green building standards. This bill would expand these provisions to authorize the expenditure of those funds for carrying out the updating of green building standards and the updating of verification guideline for Tier 1 and Tier 2 green building standards and educational efforts, including, but not limited to, training for local building officials associated with green building standards. Existing law provides that codification of building standards approved by the commission shall be incorporated into the code and shall not be incorporated into other individual titles of state agencies in the California Code of Regulations. This bill would also require, as part of the next triennial update of the California Building Standards Code, that state agencies that propose green building standards, as specified, to the extent that it is feasible, reference or reprint those green building standards in other relevant portions of the California Building Standards Code.

AB 628  
Gorell

*Energy management plans for harbor and port districts*

Existing law requires the State Energy Resources Conservation and Development Commission to adopt energy conservation standards to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy, and to implement various programs to provide financial assistance to specified entities for energy efficient improvements. This bill would authorize the Humboldt Bay Harbor, Recreation, and Conservation District and specified harbor and port districts, as defined, jointly with an electrical corporation, gas corporation, community choice aggregator established on or before July 1, 2013, or publicly owned electric or gas utility serving the district to prepare one or more energy management plans to reduce air emissions and promote economic development through the addition of new businesses and the retention of existing businesses in the district. The bill would require, if a district prepares an energy management plan pursuant to these provisions, that the plan include specified provisions.

AB 792  
Mullin

*Utility user tax: exemption: distributed generation systems*

Existing law generally provides that the legislative body of any city and any charter city may make and enforce all ordinances and regulations with respect to municipal affairs, as provided, including, but not limited to, a utility user tax on the consumption of gas and electricity. Existing law provides that the board of supervisors of any county may levy a utility user tax on the consumption of, among other things, gas and electricity in the unincorporated area of the county. This bill would, until January 1, 2020, exempt from any utility user tax imposed by a local jurisdiction, as defined, the consumption of electricity generated by a clean energy resource, as defined, for the use of a single customer or the customer's tenants.

AB 1092  
Levine

*Building standards: electric vehicle charging infrastructure*

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. This bill would require the commission, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2014, to adopt, approve, codify, and publish mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development. The bill would require the Department of Housing and Community Development to propose mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and submit the proposed mandatory building standards to the commission for consideration. The bill would require the department and the commission, in proposing and adopting the mandatory building standards, to use specified sections of the California Green Building Standards Code as the starting point for the mandatory building standards and to actively consult with interested parties.

SB 43 Wolk	<p><i>Electricity: Green Tariff Shared Renewables Program</i></p> <p>Under existing law, the Public Utilities Commission has regulatory jurisdiction over public utilities, including electrical corporations, as defined. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Under existing law, the local government renewable energy self-generation program authorizes a local government to receive a bill credit to be applied to a designated benefiting account for electricity exported to the electrical grid by an eligible renewable generating facility, as defined, and requires the commission to adopt a rate tariff for the benefiting account. This bill would enact the Green Tariff Shared Renewables Program. The program would require a participating utility, defined as being an electrical corporation with 100,000 or more customers in California, to file with the commission an application requesting approval of a green tariff shared renewables program to implement a program enabling ratepayers to participate directly in offsite electrical generation facilities that use eligible renewable energy resources, consistent with certain legislative findings and statements of intent. The bill would require the commission, by July 1, 2014, to issue a decision concerning the participating utility's application, determining whether to approve or disapprove the application, with or without modifications. The bill would require the commission, after notice and opportunity for public comment, to approve the application if the commission determines that the proposed program is reasonable and consistent with the legislative findings and statements of intent. The bill would require the commission to require that a participating utility's green tariff shared renewables program be administered in accordance with specified provisions. The bill would repeal the program on January 1, 2019.</p>
SB 73 Committee on Budget and Fiscal Review	<p><i>Energy: proposition 39 implementation</i></p> <p>(1) Existing law, the Energy Conservation Assistance Act of 1979, establishes the State Energy Conservation Assistance Account, a continuously appropriated account, for the purposes of funding loans to schools, hospitals, public care institutions, and units of local government to maximize energy savings. Existing law requires each eligible institution to which an allocation has been made under the act to repay the principal amount of the allocation, plus interest, in not more than 30 equal semiannual payments, as determined by the State Energy Resources Conservation and Development Commission, or the Energy Commission. Existing law requires the Energy Commission, except as specified, to periodically set interest rates on the loans based on surveys of existing financial markets and at rates not less than 1 % per annum. This bill would permit not more than 40 equal semiannual payments and authorization of no-interest loans. (2) The California Clean Energy Jobs Act, an initiative approved by the voters as Proposition 39 at the November 6, 2012, statewide general election, made changes to corporate income taxes and, except as specified, provides for the transfer of \$550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund, or the Job Creation Fund, for 5 fiscal years beginning with the 2013-14 fiscal year. Moneys in the Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California improving energy efficiency and expanding clean energy generation. Existing law provides for the allocation of available funds to public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development and public-private partnerships for eligible projects, as specified. Existing law establishes prescribed criteria that apply to all expenditures from the Job Creation Fund. This bill would appropriate \$3,000,000 from the Job Creation Fund to the California Workforce Investment Board to develop and implement a competitive grant program, in consultation with the Energy Commission and the Public Utilities Commission, for eligible community-based and other training workforce organizations preparing disadvantaged youth or veterans for employment, as specified. This bill would, for the 2013-14 fiscal year, transfer \$28,000,000 from the Job Creation Fund to the Education Subaccount, which this bill would create in the State Energy Conservation Assistance Account. This bill would appropriate moneys in the Education Subaccount to the Energy Commission for the purpose of low-interest and no-interest</p>

revolving loans and loan loss reserves for eligible projects and technical assistance, as prescribed. This bill would require funds remaining in the Education Subaccount after the 2017-18 fiscal year to continue to be available in future years for loans to local education agencies, as defined, and community college districts, as specified. This bill would require the funds deposited annually in the Job Creation Fund and remaining in the fund, as prescribed, to be allocated, to the extent consistent with the act, to local education agencies by the Superintendent of Public Instruction, as specified, and to community college districts by the Chancellor of the California Community Colleges at his or her discretion. This bill would require the Energy Commission to maintain information on the local education agencies and community college districts that receive grants, loans, or other financial assistance pursuant to these provisions. This bill would require the Energy Commission, in consultation with the Superintendent of Public Instruction, the Chancellor of the California Community Colleges, and the Public Utilities Commission, to establish specified guidelines. This bill would require the Energy Commission to adopt these guidelines at a publicly noticed meeting and provide an opportunity for public comment, as prescribed. This bill would require the Superintendent of Public Instruction and the Chancellor of the California Community Colleges to require that funds be paid back if they are not used in accordance with prescribed provisions. (3) The California Clean Energy Jobs Act creates the Citizens Oversight Board with specified responsibilities relative to the review of expenditures from the Job Creation Fund, including the submission of an evaluation to the Legislature. This bill would require an entity, as a condition of receiving funds from the Job Creation Fund, not sooner than one year but no later than 15 months after the entity completes its first eligible project with a grant, loan, or other assistance from the Job Creation Fund, to submit a report of its project expenditures to the Citizens Oversight Board, as specified. This bill would require the California Workforce Investment Board, in consultation with the Energy Commission, to utilize reports filed with the Citizens Oversight Board to quantify total employment affiliated with funded projects, as well as to estimate new trainee, apprentice, or full-time jobs resulting from Job Creation Fund activity, and would require the California Workforce Investment Board to prepare a report with this information annually and to submit it to the Citizens Oversight Board. This bill would require the Citizens Oversight Board to report specified information it receives to the Legislature annually as part of its responsibility to submit an evaluation to the Legislature and to post this report on a publicly accessible Internet Web site. (4) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 286  
Yee

*Vehicles: high-occupancy vehicle lanes*

Existing federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of HOVs, which lanes may also be used, until January 1, 2015, or until the Secretary of State receives a specified notice, by certain low-emission, hybrid, or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. A violation of provisions relating to HOV lane use by vehicles with those identifiers is a crime. This bill would extend the operation of those provisions for certain zero-emission vehicles to January 1, 2019, or until federal authorization expires, or until the Secretary of State receives that specified notice, whichever occurs first. The bill would authorize the department to issue a valid identifier to a vehicle that meets California's transitional zero-emission vehicle (TZEV) standard. The bill would also repeal duplicate provisions of law, delete obsolete provisions of law relating to hybrid vehicles, and make additional conforming changes. By extending a crime that otherwise would be repealed, the bill would impose a state-mandated local program. This bill would incorporate additional substantive changes in Sections 5205.5 and 21655.9 of the Vehicle Code made by AB 266, to become operative if AB 266 and this bill become effective on or before January 1, 2014, and this bill is enacted last.

SB 359 Corbett	<p><i>Vehicles: retirement and replacement</i></p> <p>(1) Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, reduction of criteria air pollutants and improvement of air quality. Existing law requires, until January 1, 2016, that a portion of the registration fees for motor vehicles and vessels be deposited into the Air Quality Improvement Fund and, upon appropriation, be expended for the implementation of the program. Pursuant to the Air Quality Improvement Program, the state board has established the Clean Vehicle Rebate Project to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets to purchase hybrid and zero-emission trucks and buses. Existing law establishes the Vehicle Inspection and Repair Fund, which serves as a repository for fees collected by the Department of Consumer Affairs pursuant to the Automotive Repair Act. This bill would require the Controller to transfer, as a loan, \$30,000,000 from the Vehicle Inspection and Repair Fund to the Air Quality Improvement Fund. The bill would appropriate to the state board these moneys in the Air Quality Improvement Fund to be expended only for the Clean Vehicle Rebate Project and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, thereby making an appropriation. (2) Existing law establishes the Capital Access Loan Program for small businesses, administered by the California Pollution Control Financing Authority, by providing loans through participating financial institutions to qualifying small businesses, including financial assistance to businesses affected by the In-Use Bus and Truck Rule through the Heavy-Duty Vehicle Air Quality Loan Program. This bill would require the Controller to transfer, as a loan, \$10,000,000, from the Vehicle Inspection and Repair Fund to the Air Pollution Control Fund. The bill would appropriate to the state board these moneys in the Air Pollution Control Fund to be expended only for the Heavy-Duty Vehicle Air Quality Loan Program, thereby making an appropriation. (3) Existing law creates the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account and makes available, upon appropriation, all money in the account to establish and implement the enhanced fleet modernization program, administered by the Bureau of Automotive Repair in the Department of Consumer Affairs. This bill would appropriate \$8,000,000 to the Bureau of Automotive Repair from the Enhanced Fleet Modernization Subaccount in the High Polluter Repair or Removal Account to be expended only for the purposes of the enhanced fleet modernization program, thereby making an appropriation.</p>
SB 454 Corbett	<p><i>Public resources: electric vehicle charging stations</i></p> <p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, which authorizes, among other things, upon appropriation by the Legislature, a grant program to provide funding for homeowners who purchase a plug-in electric vehicle to offset costs associated with modifying electrical sources that include a residential plug-in electric vehicle charging station. Existing law also creates a grant program for the purchase and lease of zero-emission vehicles, as defined, in the state to be developed and administered by the State Air Resources Board in conjunction with the commission. The program provides grants to specified recipients in an amount equal to 90% of the incremental cost above \$1,000 of an eligible new zero-emission light-duty car or truck, as defined. This bill would create the Electric Vehicle Charging Stations Open Access Act, which would prohibit the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and would prohibit a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified. The bill would require the total actual charges for the use of an electric vehicle charging station to be disclosed to the public at the point of sale. The bill would require an electric vehicle charging station to provide to the general public 2 specified options of payment. This bill would require the service provider of electric vehicle service equipment, as defined, at an electric vehicle charging station, as defined, to disclose to</p>

the National Renewable Energy Laboratory the charging station's geographic location, a schedule of fees, accepted methods of payment, and the amount of network roaming charges for nonmembers, if any. This bill, if no interoperability billing standards have been adopted by a national standards organization by January 1, 2015, would authorize the state board to adopt interoperability billing standards, as defined, for network roaming payment methods for electric vehicle charging stations, and would require, if the state board adopts standards, all electric vehicle charging stations that require payment to meet those standards within one year.

SB 459  
Pavley

*Vehicle retirement: low-income motor vehicle owners*

(1) Existing law establishes a motor vehicle inspection and maintenance program, referred to as a smog check program, developed, implemented, and administered by the Department of Consumer Affairs. The duty of enforcing and administering the program is vested in the Chief of the Bureau of Automotive Repair within the department. This bill would require instead a motor vehicle to have been registered without substantial lapse, as determined by the department, in the state for at least 2 years prior to vehicle retirement and to have failed any type of smog check inspection lawfully performed in the state to qualify to receive a specified vehicle retirement payment. The bill would authorize, rather than require, the department to permit vehicle retirement for any motor vehicle that has been registered without substantial lapse in the state for at least 2 years prior to vehicle retirement and that fails any type of smog check inspection lawfully performed in the state. (2) Existing law creates an enhanced fleet modernization program for the retirement of high polluting vehicles to be administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the State Air Resources Board. Existing law requires the department to pay a person who retires his or her vehicle \$1,500 for a low-income motor vehicle owner, as defined, and \$1,000 for all other motor vehicle owners, and authorizes additional payments above these amounts based on consideration of specified criteria. This bill would require the state board, in consultation with the bureau and no later than June 30, 2015, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill would make various findings and declarations. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500, would make replacement an option for all motor vehicle owners, and would make this compensation available to an owner in addition to the compensation for a retired vehicle. The bill would prohibit this compensation for all other motor vehicle owners from exceeding the compensation for low-income motor vehicle owners. The bill would authorize instead an increase in the compensation under these programs for either retired or replacement vehicles for only low-income motor vehicle owners as necessary to balance maximizing air quality benefits of the program while ensuring participation by low-income motor vehicle owners, as specified.

SB 591  
Cannella

*Renewable energy resources: local publicly owned electric utility: hydroelectric generation facility*

The California Renewables Portfolio Standard Program, referred to as the RPS program, requires a retail seller of electricity, as defined, and local publicly owned electric utilities to purchase specified minimum quantities of electricity products from eligible renewable energy resources, as defined, for specified compliance periods, sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 20% of retail sales for the period from January 1, 2011, to December 31, 2013, inclusive, 25% of retail sales by December 31, 2016, and 33% of retail sales by December 31, 2020, and in all subsequent years. The RPS program, consistent with the goals of procuring the least-cost and best-fit eligible renewable energy resources that meet project viability principles, requires that all retail sellers procure a balanced portfolio of electricity products from eligible renewable energy resources, as specified, referred to as the portfolio content requirements. This bill would provide that a local publicly owned electric utility is not required to procure additional eligible renewable energy resources in excess of specified levels, if it receives 50% or greater of its annual retail sales from

its own hydroelectric generation meeting specified requirements.

SB 726  
Lara

*California Global Warming Solutions Act of 2006: Western Climate Initiative, Incorporated*

(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. Existing law also imposes conditions on the Western Climate Initiative, Incorporated, a nongovernmental entity created to assist the state board in the implementation of the act. Existing law specifies who may serve as part of the California membership of the board of directors of the Western Climate Initiative, Incorporated. This bill, commencing January 1, 2014, would require the state board to include information on all proposed expenditures and allocations of moneys to the Western Climate Initiative, Incorporated, in the Governor's Budget. The bill would require the state board to report to the Joint Legislative Budget Committee on specified procurements proposed by the Western Climate Initiative, Incorporated. (2) The Bagley-Keene Open Meeting Act generally requires that all meetings of a state body be open and public. Existing law exempts the Western Climate Initiative, Incorporated, and its appointees from the Bagley-Keene Open Meeting Act when performing their duties. The California Public Records Act requires state and local agencies to make public records available for inspection by the public, subject to specified criteria, and with specified exceptions. This bill would require the California membership of the Western Climate Initiative, Incorporated, to participate on the board of directors so long as the Western Climate Initiative, Incorporated, maintains a specified open meetings policy, a specified public records policy, and bylaws limiting the activities of the Western Climate Initiative, Incorporated, to the technical and operational support of the greenhouse gas emissions reduction programs of California and other jurisdictions.

## Criminal Justice and Public Safety

### AB 48 *Firearms: large-capacity magazines*

Skinner Except as specified, existing law makes it a crime to manufacture, import, keep for sale, offer or expose for sale, or give or lend any large-capacity magazine, and makes a large-capacity magazine a nuisance. Existing law defines “large-capacity magazine” to mean any ammunition feeding device with the capacity to accept more than 10 rounds but excludes, in pertinent part, a feeding device that has been permanently altered so that the magazine cannot accommodate more than 10 rounds. This bill would make it a misdemeanor, punishable by a fine of not more than \$1,000 or imprisonment in a county jail not to exceed 6 months, or by both that fine and imprisonment, to knowingly manufacture, import, keep for sale, offer or expose for sale, or give, lend, buy, or receive any large capacity magazine conversion kit that is capable of converting an ammunition feeding device into a large-capacity magazine. The bill would also make it a misdemeanor or a felony to buy or receive a large-capacity magazine, as specified. By creating a new crime, this bill would impose a state-mandated local program.

### AB 68 *Parole*

Maienschein Existing law provides that the Board of Parole Hearings or its successor in interest shall be the state’s parole authority. Existing law generally provides that a prisoner who is found to be permanently medically incapacitated be granted medical parole, if the Board of Parole Hearings determines that the conditions under which the prisoner would be released would not reasonably pose a threat to public safety. Existing law requires a physician employed by the Department of Corrections and Rehabilitation who is the primary care provider for a prisoner to recommend that the prisoner be referred to the Board of Parole Hearings for consideration for medical parole if the physician believes the prisoner meets the medical criteria for medical parole. This bill would require the Department of Corrections and Rehabilitation to give notice of any medical parole hearing and any medical parole release to the county of commitment, and the county of proposed release, at least 30 days, or as soon as feasible, prior to a medical parole hearing or a medical parole release.

### AB 81 *Public safety: domestic abuse*

Committee on Budget Existing law, as amended by SB 71 of the 2013-14 Regular Session, authorizes every law enforcement agency in the state to develop, adopt, and implement written policies and standards for officers, responses to domestic violence calls, as specified. Existing law, as amended by SB 71 of the 2013-14 Regular Session, also authorizes law enforcement agencies to maintain a complete and systematic record of all protection orders with respect to domestic violence incidents and to develop a system for recording all domestic violence-related calls for assistance, including whether weapons were involved. This bill would provide that, if SB 71 of the 2013-14 Regular Session is enacted and becomes operative, these provisions are mandatory for law enforcement agencies. By expanding the duties of local law enforcement agencies, this bill would impose a state-mandated local program.

### AB 139 *Domestic violence: fees*

Holden Existing law imposes a fee of \$500 on every person who is granted probation for a crime of domestic violence. Two-thirds of the fee is deposited in the county’s domestic violence programs special fund to be expended in support of domestic violence shelter programs, as specified. Existing law authorizes fines to be reduced, as specified, for time served. This bill would clarify that the \$500 payment is a fee, not a fine, and that the fee is not subject to reduction for time served. The bill would also authorize 8% of the moneys deposited in the county domestic violence programs special fund to be used for administrative costs and would authorize the collection of the fee by the collecting agency or the agency’s designee after the termination of the period of probation, whether probation is terminated by revocation or by completion of the term. The bill would provide that a county board of supervisors may request,

on not more than a quarterly basis, an accounting of the special fund, as specified. The bill would also make related findings and declarations.

**AB 161**      *Restraining orders*

Campos

Existing law requires a court in a proceeding for dissolution of marriage or legal separation of the parties to issue a temporary restraining order enjoining both parties from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage held for the benefit of the parties and their child or children, for whom support may be ordered. Existing law also authorizes a court in a domestic violence proceeding to issue ex parte protective orders, as specified. This bill would specifically authorize, on and after July 1, 2014, a court in a domestic violence proceeding to issue an ex parte order restraining any party from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage held for the benefit of the parties, or their child or children, if any, for whom support may be ordered, or both.

**AB 170**      *Assault weapons and .50 BMG rifles*

Bradford

Existing law, subject to exceptions, generally prohibits the possession of an assault weapon or a .50 BMG rifle, as defined. Violation of these prohibitions is a criminal offense. Existing law requires a person who wishes to acquire an assault weapon or .50 BMG rifle to obtain a permit from the Department of Justice. Existing law defines “person” as an individual, partnership, corporation, limited liability company, association, or any other group or entity, regardless of how it was created, for these permit purposes and other purposes related to the regulation of assault weapons and .50 BMG rifles. Existing law requires a permit to possess a machinegun. Violation of these provisions is a criminal offense. This bill would limit “person” to an individual for those permit purposes for assault weapons, .50 BMG rifles, and machineguns, and other purposes related to the regulation of assault weapons and .50 BMG rifles. The bill would, among other things, except application of that definition from provisions that generally prohibit the manufacture, distribution, transportation, importation, keeping for sale, offering for sale, exposing for sale, giving, or lending, of an assault weapon or .50 BMG rifle. The bill would make additional conforming changes, including changes relating to annual inspections, for security and safe storage purposes, of certain permittees possessing assault weapons or .50 BMG rifles, as specified.

**AB 176**      *Family law: protective and restraining orders*

Campos

Existing law requires that, subject to specified limitations, an emergency protective order be enforced before any other protective or restraining order that has been issued. If there is no emergency protective order that takes precedence in enforcement and there is more than one civil protective or restraining order regarding the same parties, existing law generally requires a peace officer to enforce the order issued last. If there is no emergency protective order that takes precedence in enforcement and both criminal and civil protective or restraining orders have been issued regarding the same parties, existing law generally requires an officer to enforce the criminal order issued last. This bill would, as of July 1, 2014, instead require that a no-contact order has precedence in enforcement if more than one protective or restraining order has been issued, none of which is an emergency protective order that takes precedence in enforcement, and one of the orders that has been issued is a no-contact order, as described. This bill would also make related, conforming changes.

**AB 218**      *Employment applications: criminal history*

Dickinson

Existing law prohibits both public and private employers from asking an applicant for employment to disclose, either in writing or verbally, any information concerning an arrest or detention that did not result in a conviction. This bill, commencing July 1, 2014, would prohibit a state or local agency from asking an applicant to disclose information regarding a criminal conviction, except as specified, until the agency has determined the applicant meets the



minimum employment qualifications for the position. The bill would include specified findings and declarations of the Legislature in support of this policy.

AB 231

Ting

*Firearms: criminal storage*

Existing law establishes the offenses of criminal storage of a firearm in the first degree, when a person keeps a loaded firearm within any premises under his or her custody or control, the person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or guardian, and a child obtains access to a person's loaded firearm resulting in death or great bodily injury, as specified, and criminal storage of a firearm in the 2nd degree, when under those circumstances, the child obtains access to the firearm resulting in injury other than great bodily injury or the firearm is carried off premises, as specified. Existing law makes the first degree offense punishable as a felony or misdemeanor with specified penalties and makes the 2nd degree offense punishable as a misdemeanor with specified penalties. This bill would establish the offense of criminal storage of a firearm in the 3rd degree, when a person keeps a loaded firearm within any premises under his or her custody or control and negligently stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child. The bill would make the offense punishable as a misdemeanor. By creating a new crime, the bill would impose a state-mandated local program. Existing law requires a firearms dealer to conspicuously post specified warnings in the dealer's licensed premises, including, among others, warnings regarding the criminal storage of firearms and the penalties for those offenses. This bill would make conforming changes to those required warnings to reflect the offense of criminal storage of a firearm in the 3rd degree. This bill would incorporate changes to Section 25100 of the Penal Code proposed by SB 363 that would become operative if this bill and SB 363 are both chaptered and this bill is chaptered last. The bill would also incorporate changes to Section 26835 of the Penal Code proposed by SB 299 that would become operative if this bill and SB 299 are both chaptered and this bill is chaptered last.

AB 492

Quirk

*Probation: nonviolent drug offenses*

Existing law requires the sentencing court, whenever a person is granted probation for a nonviolent drug possession offense, to transfer jurisdiction of the entire case, upon a finding by the receiving court of the person's permanent residency in the receiving county, unless there is a determination on the record that the transfer would be inappropriate. This bill would delete those provisions.

AB 494

V. Manuel  
Perez

*Prisoners: literacy and education*

Existing law requires the Secretary of the Department of Corrections and Rehabilitation to implement in every state prison literacy programs that are designed to ensure that, upon parole, inmates are able to achieve a 9th grade reading level. Existing law further requires the department to prepare an implementation plan for the literacy programs and to request sufficient funds to make the programs available to a certain percentage of inmates by specified dates. This bill would instead require the department to implement literacy programs that are designed to ensure that upon parole inmates are able to achieve the goals specified in this bill. This bill would require the department to prepare an implementation plan and request sufficient funds to, among other things, offer academic programming throughout an inmate's incarceration that focuses on increasing the reading ability of an inmate to at least a 9th grade level and, for an inmate reading at a 9th grade level or higher, focus on helping the inmate obtain a general education development certificate, or its equivalent, or high school diploma. This bill would also make technical, nonsubstantive changes to these provisions.

AB 500      *Firearms*

Ammiano (1) Existing law requires the Department of Justice, upon submission of firearm purchaser information, to examine its records to determine if the purchaser is prohibited from possessing, receiving, owning, or purchasing a firearm. Existing law prohibits the delivery of a firearm within 10 days of the application to purchase, or, after notice by the department, within 10 days of the submission to the department of any corrections to the application to purchase, or within 10 days of the submission to the department of a specified fee. Existing law generally requires firearms transactions to be completed through a licensed firearms dealer. If a dealer cannot legally deliver a firearm, existing law requires the dealer to return the firearm to the transferor, seller, or person loaning the firearm. This bill would require the department to immediately notify the dealer to delay the transfer of a firearm to a purchaser if the records of the department, or if specified records available to the department, indicate that the purchaser has been taken into custody and placed in a facility for mental health treatment or evaluation, that he or she has been arrested for, or charged with, a crime, or that the purchaser is attempting to purchase more than one firearm within a 30-day period, and the department is unable to ascertain whether the purchaser is ineligible to possess, receive, own, or purchase the firearm as a result of the determination of the purchaser's mental health, the final disposition of the arrest or criminal charge, or whether the purchaser is ineligible to purchase the firearm because he or she is attempting to purchase more than one firearm within a 30-day period, prior to the conclusion of the 10-day waiting period. If the department is unable to ascertain the final disposition of the arrest or criminal charge, the outcome of the mental health treatment or evaluation, or whether the purchaser is ineligible to purchase the firearm because he or she is attempting to purchase more than one firearm within a 30-day period, within 30 days of the dealer's submission of purchaser information, the bill would require the department to notify the firearms dealer, and would authorize the dealer to then immediately transfer the firearm to the purchaser. The bill would also enact similar provisions additionally requiring, among other things, the dealer and the purchaser to sign the register or record of electronic transfer, to take effect if AB 538 is enacted and amends Section 28160 of the Penal Code. (2) Existing law requires a firearm purchaser to present the dealer with clear evidence of the person's identity and age, and requires the dealer to make a permanent record of the transaction. Existing law requires the dealer to transmit the record of applicant information to the Department of Justice by electronic or telephonic transfer. Commencing January 1, 2015, this bill would also require a dealer to notify the department that the person in an application to purchase actually took possession of the firearm, as specified. (3) Under existing law certain persons are prohibited from owning or possessing a firearm, including persons convicted of certain violent offenses, and persons who have been adjudicated as having a mental disorder, among others. This bill would prohibit a person who is residing with someone who is prohibited by state or federal law from possessing a firearm from keeping a firearm at that residence unless the firearm is either kept within a locked container, locked gun safe, locked trunk, locked with a locking device, disabled by a firearm safety device, or carried on the person. The bill would make a violation of this provision a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.

AB 538      *Firearms*

Pan (1) Existing law, subject to specified exceptions, makes it a crime to openly carry an exposed, unloaded handgun outside a vehicle in specified public places. Existing law exempts from this crime, in part, the open carrying of an unloaded handgun at an auction or similar event for a nonprofit public benefit or mutual benefit corporation, if the handgun is to be auctioned or sold for the nonprofit public benefit or mutual benefit corporation, and the handgun is delivered by a person licensed by existing law. This bill would make technical, nonsubstantive changes to these provisions. (2) Existing law, subject to specified exceptions, including use by a member of a club or organization organized for the purpose of practicing shooting at targets upon established target ranges while the members are using handguns upon the target ranges or incident to the use of a firearm that is not a handgun at that target range, makes it a crime for a person to carry an

unloaded firearm that is not a handgun outside a vehicle while in an incorporated city or city and county. This bill would clarify that the exception applies to members of a shooting organization while the members are using firearms that are not handguns upon the target ranges and would make additional technical changes. (3) Existing law prohibits a person from selling, leasing, or transferring a firearm unless the person is issued a license. Existing law provides for specified exemptions to that licensing requirement, including the sale, delivery, or transfer of a firearm by a law enforcement agency to a peace officer or retiring peace officer, as specified. This bill would also exempt from the licensing requirement the sale, delivery, or transfer of a firearm if made by an authorized law enforcement representative of a city, county, city and county, or of the state or federal government, to a licensed firearms dealer, a wholesaler, or a licensed manufacturer or importer of firearms or ammunition, if certain specified requirements are met. If the authorized law enforcement representative sells, delivers, or transfers a firearm to a licensed firearms dealer, the bill would require the governmental agency to enter a record of the delivery into the Automated Firearms Systems (AFS) via the California Law Enforcement Telecommunications System (CLETS) within 10 days. (4) Existing law imposes various other restrictions on the sale, delivery, or transfer of firearms. Existing law excludes from those provisions the sale, delivery, or transfer of firearms made to an authorized law enforcement representative of a city, county, city and county, or of the state or federal government for exclusive use by that governmental agency, if certain conditions are met. Existing law provides that within 10 days of the date a firearm is acquired by the agency, a record shall be entered as an institutional weapon into the AFS via the CLETS. This bill would require an agency that subsequently destroys that weapon to enter information that the weapon has been destroyed into the AFS via the CLETS within 10 days of destruction. (5) Existing law provides that when neither party to a firearms transaction holds a dealer's license, the parties to the transaction are required to complete the sale, loan, or transfer of that firearm through a firearms dealer, except as specified. This bill would exclude from those provisions the sale, delivery, or transfer of a firearm if made by an authorized law enforcement representative of a city, county, city and county, or of the state or federal government if certain specified conditions are met, including that the sale, delivery, or transfer is made to a wholesaler, or a licensed manufacturer, or importer of firearms or ammunition. The bill would require the agency to enter a record of the delivery into the AFS via the CLETS within 10 days. (6) Existing law requires the register or record of an electronic or telephonic transfer of a firearm to include specified information, including information on certain waiting period exemptions, including a dealer waiting period exemption, and requires the firearms dealer to record on the register or record the date that the firearm is delivered. A violation of those provisions is a misdemeanor. This bill instead would require the register or record to include any applicable waiting period exemption information. By expanding the scope of a crime, the bill would impose a state-mandated local program. The bill would also require the register or record to include a statement that the Department of Justice shall furnish the purchaser with any information reported to the department relating to the purchaser's ownership of the firearm, that the purchaser is entitled to file a report of his or her acquisition of the firearm, and of instructions for accessing the department's Internet Web site for more information. The bill would require the firearms dealer to record his or her signature indicating delivery of the firearm, and would require the purchaser to sign the register or record on the date that the firearm is delivered to the purchaser. (7) Existing law requires the purchaser of a firearm to present evidence to the dealer of the person's identity and age, and requires the transaction to be recorded by the dealer in a register or record of telephonic or electronic transfer. Existing law requires a dealer, upon request only, to provide a copy of the register or record of the transaction to the purchaser, and, for a private party transaction, requires the dealer, upon request, to provide the seller or purchaser with a copy of the register or record, as specified. This bill instead would require the dealer to provide a copy of those documents to the purchaser at the time of delivery of the firearm after the dealer notes the date of delivery and the dealer's signature indicating delivery of the firearm, and the dealer and purchaser acknowledge the receipt of the firearm. The bill, for private party transactions, would require the dealer to provide a copy of the register or record to the seller at the time that the register or

record is signed by the seller. (8) Existing law prohibits a person from purchasing or receiving a handgun, except an antique firearm, without a valid handgun safety certificate, and further prohibits a person from selling, delivering, loaning, or transferring a handgun to a person who does not possess a valid handgun safety certificate, except as specified. This bill would exclude the sale, delivery, or transfer of a firearm by an authorized law enforcement representative of a city, county, city and county, or of the state or federal government if certain conditions are met, including that the sale, delivery, or transfer is made to one of specified persons and entities.

AB 539  
Pan

*Firearm possession: prohibitions: transfer to licensed dealer*

Existing law prohibits specified persons, including persons convicted of specified crimes, persons addicted to the use of any narcotic drug, certain probationers, and persons against whom specified restraining orders or injunctions apply, from possessing a firearm. Under existing law a violation of these provisions is justified if the person possessed the firearm no longer than was necessary to deliver or transport the firearm to a law enforcement agency for that agency's disposition according to law, if certain requirements are met. Existing law allows a firearm that is in the custody of a law enforcement agency to be sold or transferred to a licensed dealer if the law enforcement agency determines that the legal owner of the firearm is prohibited from possessing the firearm. Existing law requires that a person prohibited from possessing a firearm pursuant to certain provisions of law to be notified and provided with a form to facilitate the transfer of firearms. Existing law requires the Judicial Council to provide notice on all protective orders that the respondent is prohibited from possessing a firearm while the protective order is in effect and that the firearm shall be relinquished to a local law enforcement agency or a licensed firearms dealer. This bill would allow anyone who is prohibited from owning or possessing a firearm pursuant to the above provisions or any other provision of law to transfer any firearm or firearms in his or her possession, or of which he or she is the owner, to a licensed firearms dealer for the duration of the prohibition if the prohibition on owning or possessing the firearm will expire on a date specified in the court order. The bill would require a firearms dealer who stores a firearm under these circumstances to notify the Department of Justice of the date that the dealer has taken possession of the firearm, and would also require the Attorney General to maintain a record of this information. The bill would make conforming changes to the above provisions. Because the bill would impose certain requirements on local agencies relating to the transfer of firearms to a licensed firearms dealer, the bill would impose a state-mandated local program.

AB 624  
Mitchell

*County jail: rehabilitation credits*

Under existing law, when a prisoner is confined to county jail, an industrial farm, or a road camp, for each 4-day period in which he or she is confined, he or she may have one day deducted from his or her period of confinement, as specified. This bill would authorize a sheriff or county director of corrections, in addition to the credits otherwise earned, to award a prisoner program credit reductions from his or her term of confinement for successful completion of specific program performance objectives for rehabilitative programming, including academic programs, vocational programs, vocational training, substance abuse programs, and core programs such as anger management and social life skills. These program credit reductions may be for one to 6 weeks and may be forfeited in the same manner as other program credit reductions.

AB 631  
Fox

*Pupils: juvenile court schools*

Existing law requires county boards of education to provide for the administration and operation of public schools in juvenile homes, juvenile halls, day centers, juvenile ranches, juvenile camps, regional youth educational facilities, Orange County youth correctional centers, or in any group home housing 25 or more children, as specified. These public schools are known under existing law as juvenile court schools. Existing law requires that juvenile court schools be conducted in a manner prescribed by the county board of education to best accomplish the

purposes set forth in existing law. This bill would authorize the county board of education to adopt and enforce a course of study that enhances instruction in mathematics and English language arts for pupils attending juvenile court schools, as determined by statewide assessment or objective local evaluations and assessments as approved by the county superintendent of schools. The bill would require an adopted enhanced course of study to meet specified standards, as appropriate, and be tailored to meet the needs of the individual pupil to increase the pupil's academic literacy and reading fluency.

AB 651      *Convictions: expungement*

Bradford      Existing law permits a defendant to withdraw his or her plea of guilty or plea of nolo contendere and enter a plea of not guilty in any case in which a defendant has fulfilled the conditions of probation for the entire period of probation, or has been discharged prior to the termination of the period of probation, or in any other case in which a court, in its discretion and the interests of justice, determines that a defendant should be granted this or other specified relief. This bill would authorize a court to allow a defendant sentenced to county jail for a felony to withdraw his or her plea of guilty or plea of nolo contendere and enter a plea of not guilty, after the lapse of one or 2 years following the defendant's completion of the sentence, as specified, provided that the defendant is not under supervision as specified, and is not serving a sentence for, on probation for, or charged with the commission of any offense. The bill would provide that the defendant would be released from all penalties and disabilities resulting from the offense of which he or she has been convicted, except as specified.

AB 703      *Peace officers: firearms*

Hall      (1) Existing law requires a retired peace officer who was authorized to, and did, carry a firearm during the course and scope of employment as a peace officer to have an endorsement on his or her identification certificate stating that the issuing agency approves of the officer's carrying of a concealed and loaded firearm. Existing law provides that a retired peace officer may have the privilege to carry a concealed and loaded firearm revoked or denied by violating any departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency. Existing law permits an identification certificate authorizing the officer to carry a concealed and loaded firearm or an endorsement on the certificate to be immediately and temporarily revoked by the issuing agency when the conduct of a retired peace officer compromises public safety. This bill would make these provisions applicable to a retired reserve officer if the retired reserve officer carried a firearm during the course and scope of his or her appointment, was a level I reserve officer, and served in the aggregate the minimum amount of time as specified by the retiree's agency's policy as a level I reserve peace officer. The bill would prohibit the policy from setting an aggregate term requirement that is less than 10 years or more than 20 years. The bill would prohibit service as a reserve officer, other than a level I reserve officer prior to January 1, 1997, from counting toward that aggregate term requirement. The bill would authorize a law enforcement agency to revoke or deny an endorsement issued to a retired reserve peace officer. (2) Under existing law, the prohibitions on carrying a concealed weapon and on carrying a loaded firearm do not apply to honorably retired peace officers who were authorized to carry firearms during the course and scope of their employment as peace officers. This bill would state that the above exemption applies to honorably retired peace officers who were authorized to carry firearms during the course and scope of their appointment, rather than employment, as peace officers.

AB 720      *Inmates: health care enrollment*

Skinner      Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing federal law prohibits federal financial participation for medical care

provided to inmates of a public institution, except when the inmate is a patient in a medical institution. Commencing January 1, 2014, the federal Patient Protection and Affordable Care Act expands eligibility under the Medicaid Program for certain groups and enacts various other health care coverage market reforms that take effect on that date. Existing federal law requires the Secretary of Health and Human Services to develop and provide to each state a single, streamlined form that may be used to apply for all state health subsidy programs, as defined, within the state. This bill would authorize the board of supervisors in each county, in consultation with the county sheriff, to designate an entity or entities to assist county jail inmates to apply for a health insurance affordability program, as defined. The bill would authorize the entity, to the extent authorized by federal law and federal financial participation is available, to act on behalf of a county jail inmate for the purpose of applying for, or determinations of, Medi-Cal eligibility for acute inpatient hospital services, as specified. The bill would provide that county jail inmates who are currently enrolled in the Medi-Cal program shall remain eligible for, and shall not be terminated from, the program due to their detention, unless required by federal law, they become otherwise ineligible, or the suspension of their benefits has ended. The bill would provide that the fact that an applicant is an inmate shall not, in and of itself, preclude a county human services agency from processing an application for the Medi-Cal program submitted to it by, or on behalf of, that inmate. Existing law also provides for the suspension of Medi-Cal benefits to an inmate of a public institution who is under 21 years of age. Existing law requires county welfare departments to notify the department within 10 days of receiving information that an individual under 21 years of age who is receiving Medi-Cal is or will be an inmate of a public institution. This bill would instead make these provisions applicable without regard to the age of the individual, provided that federal financial participation would not be jeopardized. By expanding the duties of county agencies, this bill would impose a state-mandated local program.

**AB 986**      *Postrelease community supervision: flash incarceration: city jails*  
**Bradford**      Existing law requires that persons released from prison be subject either to parole for a specified period of time or to postrelease community supervision for a period not exceeding 3 years. Existing law specifies the conditions of postrelease community supervision and permits each county agency responsible for postrelease supervision to determine an appropriate response to alleged violations, including flash incarceration in a county jail. Existing law provides for review of an alleged parole violation and likewise allows the supervising parole agency to impose additional conditions of supervision, including flash incarceration in a county jail. Existing law defines flash incarceration for these purposes as a period of detention in a county jail ranging from one to 10 days due to a violation of an offender's conditions of release. This bill would additionally permit flash incarceration in a city jail pursuant to the above provisions. The bill would make a conforming change. The bill would also make technical, nonsubstantive changes.

**AB 1004**      *Criminal procedure*  
**Gray**      Existing law requires that a declaration in support of the warrant of probable cause for arrest be a sworn statement made in writing. Existing law also authorizes the magistrate to take an oral statement under oath under specified conditions that provide for the use of facsimile transmission equipment or electronic mail if prescribed conditions are met, including, but not limited to, the inclusion of the declarant's digital signature. This bill would specify that the declaration may be by telephone and computer server and that the signature may be an electronic signature, and would make conforming changes. Existing law requires the magistrate to print related electronic documents and sign the warrant if the warrant is granted. This bill would require, if the documents are received by electronic mail or computer server, that these documents be subsequently printed and would specify that the magistrate's signature may be in the form of a digital signature or an electronic signature.

- AB 1006  
Yamada *Juvenile court records: sealing and destruction*  
Existing law authorizes a person who is the subject of a juvenile court record, or the county probation officer, to petition the court for the sealing of the records relating to the person's case, including records in the custody of the juvenile court and the probation officer and any other agencies, including law enforcement agencies and public officials as the petitioner alleges to have custody of the records. Existing law permits the petition to be filed 5 years or more after the jurisdiction of the juvenile court has terminated or, if no petition was filed, 5 years or more after the person was cited to appear before a probation officer or was taken before a probation officer or law enforcement officer, or, in any case, at any time after the person reaches 18 years of age. This provision does not apply if the person was found by the juvenile court to have committed any one of specified serious or violent offenses and the person was 14 years of age or older when he or she committed the offense. Existing law also does not permit the sealing of a person's juvenile court record for an offense if the person has been convicted of that offense in a criminal court, as specified. This bill would require, on and after January 1, 2015, each court and probation department to ensure that information regarding the eligibility for and the procedures to request the sealing and destruction of records is provided to each person for whom a petition has been filed on or after January 1, 2015, to adjudge the person a ward of the juvenile court and to specified other minors who are taken into temporary custody and brought before a probation officer, as specified. The bill would require the Judicial Council, on or before January 1, 2015, to develop related informational materials and a specified form. The bill would specify when the materials and the form are to be provided. By imposing additional duties on local probation departments, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.
- AB 1019  
Ammiano *State prisons: correctional education and vocational training*  
Existing law requires the Secretary of the Department of Corrections and Rehabilitation to appoint a Superintendent of Correctional Education to oversee and administer all prison education programs, set long-term and short-term goals for inmate literacy and testing, and establish priorities for prison education. Existing law also establishes the California Rehabilitation Oversight Board to review the mental health, substance abuse, educational, and employment programs for inmates of state prisons. This bill would require goals for career technical education to be set by the Superintendent of Correctional Education, and would establish factors that are required to be considered when establishing a career technical education program, including the demand for the skills being trained and the availability of employment in those fields.
- AB 1131  
Skinner *Firearms*  
(1) Existing law prohibits a person from possessing a firearm or deadly weapon for a period of 6 months whenever he or she communicates to a licensed psychotherapist a serious threat of physical violence against a reasonably identifiable victim or victims. Under existing law, a violation of this provision is a crime. Existing law allows a person subject to these provisions to petition the superior court of his or her county for an order that he or she may possess a firearm, as provided. This bill would increase the prohibitory period from 6 months to 5 years. By increasing the scope of an existing crime, this bill would impose a state-mandated local program. This bill would revise the provisions allowing a person to petition the court for an order that would allow him or her to possess a firearm to conform with other provisions of existing law. (2) Existing law requires that if a person who has been detained or apprehended for examination of his or her mental condition, or who is a mentally ill individual prohibited from possessing firearms, is found to own or possess a firearm, a law enforcement agency or

peace officer is required to confiscate the firearm. Existing law requires the peace officer or law enforcement agency, upon confiscation of that firearm from a person who has been detained or apprehended for examination of his or her mental condition, to notify the person of the procedure for the return of the firearm. Existing law prescribes specified requirements that govern the return of confiscated firearms in the custody or control of a court or law enforcement agency. Under these provisions of law, a person who wishes to have the firearm returned is required to submit a specified application and fee to the Department of Justice, and to meet specified criteria. This bill would apply these requirements to persons who have been detained or apprehended for examination and mentally ill individuals who are prohibited from possessing firearms who have had their firearms confiscated. The bill would provide additional procedures for the disposition of a firearm that is not returned to the person, as specified. By creating new notification duties for peace officers and law enforcement agencies, this bill would impose a state-mandated local program. (3) Existing law requires reports to be submitted immediately to the Department of Justice in connection with mentally ill individuals who are prohibited from possessing firearms and dangerous weapons. This bill would revise those provisions to require a court to provide specified notices to the department as soon as possible, but not exceeding 2 court days, and would require submission of reports by specified facilities to the department within 24 hours. The bill would require notices and reports submitted to the Department of Justice in connection with these provisions to be submitted in an electronic format, in a manner prescribed by the Department of Justice. (4) Existing law prohibits a person from possessing a firearm or deadly weapon for a period of 6 months when the person has communicated a serious threat of physical violence against a reasonably identifiable victim or victims to a licensed psychotherapist. Existing law requires the licensed psychotherapist to immediately report the identity of the person to a local law enforcement agency, and requires the local law enforcement agency to immediately notify the Department of Justice. This bill would instead require the licensed psychotherapist to make the report to local law enforcement within 24 hours, in a manner prescribed by the department. The bill would require the local law enforcement agency receiving the report to notify the department electronically within 24 hours, in a manner prescribed by the department.

SB 105  
Steinberg

*Corrections*

(1) Existing law requires the Department of Corrections and Rehabilitation to close the California Rehabilitation Center located in Norco, California, no later than either December 31, 2016, or 6 months after the construction of three Level II dorm facilities. This bill would suspend this requirement pending a review by the Department of Finance and the Department of Corrections and Rehabilitation that determines the facility can be closed. (2) The California Constitution establishes the civil service, to include every officer and employee of the state, except as provided, and requires permanent appointment and promotion in the civil service to be made under a general system based on merit ascertained by competitive examination. Existing law requires the appointing power in all cases not exempted by the California Constitution to fill positions by appointment, including cases of transfers, reinstatements, promotions, and demotions, in strict accordance with specified provisions of law, and requires that appointments to vacant positions be made from employment lists. Existing law, subject to the approval of the State Personnel Board, allows an appointing agency to enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services and effecting transfers of employees. This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of exchanging services pursuant to the above provision and all related rules. (3) Existing law allows the State Personnel Board to prescribe rules governing the temporary assignment or loan of employees within an agency or between agencies not to exceed 2 years, or between jurisdictions not to exceed 4 years, for specified purposes. This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of the above provision and all related rules for a period not to exceed 2 years. (4) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to enter into an



agreement with a city, county, or city and county, to permit transfer of prisoners in the custody of the secretary to a jail or other adult correctional facility. Under existing law, prisoners transferred to a local facility remain under the legal custody of the department. Existing law prohibits any agreement pursuant to these provisions unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department. This bill would, until January 1, 2017, for purposes of entering into agreements pursuant to the above provisions, waive any process, regulation, or requirement relating to entering into those agreements. The bill would, until January 1, 2017, delete the provision requiring that prisoners transferred to a local facility remain under the legal custody of the department and would delete the requirement that no agreement be entered into unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department. The bill would, until January 1, 2017, allow a transfer of prisoners to include inmates who have been sentenced to the department but remain housed in a county jail, and would specify that these prisoners shall be under the sole legal custody and jurisdiction of the sheriff or other official having jurisdiction over the facility and not under the legal custody and jurisdiction of the department. The bill would also, until January 1, 2017, allow the secretary to enter into one or more agreements in the form of a lease or operating agreement with private entities to obtain secure housing capacity in the state or in another state, upon terms and conditions deemed necessary and appropriate to the secretary. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to the procurement or implementation of those agreements, except as specified. The bill would make the provisions of the California Environmental Quality Act inapplicable to these provisions. (5) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to establish and operate community correctional centers. This bill would, until January 1, 2017, allow the secretary to enter into agreements for the transfer of prisoners to community correctional centers, and to enter into contracts to provide housing, sustenance, and supervision for inmates placed in community correctional centers. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to entering into those agreements. (6) Existing law allows any court or other agency or officer of this state having power to commit or transfer an inmate to any institution for confinement to commit or transfer that inmate to any institution outside this state if this state has entered into a contract or contracts for the confinement of inmates in that institution and the inmate, if he or she was sentenced under California law, has executed written consent to the transfer. This bill would, until January 1, 2017, allow the secretary to transfer an inmate to a facility in another state without the consent of the inmate. (7) Existing law establishes the Commission on Correctional Peace Officer Standards and Training (CPOST) within the Department of Corrections and Rehabilitation and requires the CPOST to develop, approve, and monitor standards for the selection and training of state correctional peace officers. Existing law allows for the use of training academies and centers, as specified. This bill would, until January 1, 2017, allow the department to use a training academy established for the private California City Correctional Center. (8) Existing law, the California Community Corrections Performance Incentives Act of 2009, authorizes each county to establish a Community Corrections Performance Incentives Fund, and authorizes the state to annually allocate moneys into a State Community Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities. As part of the California Community Corrections Performance Incentives Act of 2009, existing law requires the Director of Finance to make certain calculations, including the cost to the state to incarcerate in prison and supervise on parole an offender who fails local supervision and is sent to prison. Existing law requires the Director of Finance to calculate a probation failure reduction incentive payment based on the estimated number of probationers successfully prevented from being incarcerated, multiplied by a specified percentage of the cost to the state to incarcerate in prison and supervise on parole a probationer who was sent to prison. Existing law requires the Department of Finance to calculate 5% of the total statewide estimated number of probationers successfully prevented from being incarcerated for counties that successfully reduce the number of adult felony

probationers incarcerated multiplied by the costs to the state to incarcerate in prison and supervise on parole a probationer who was sent to prison to be used to provide high performance grants to county probation departments. This bill would, beginning July 1, 2014, remove the requirement that the Director of Finance calculate the cost to the state to incarcerate in prison and supervise on parole an offender who fails local supervision and is sent to prison, and would instead require the Director of Finance to calculate the cost to the state to incarcerate in a contract facility and supervise on parole an offender who fails local supervision and is sent to prison. The bill would require the probation failure reduction incentive payment to be based on the estimated number of probationers successfully prevented from being incarcerated multiplied by a percentage of the state's cost of housing an inmate in a contract facility, and to supervise on parole a probationer who was sent to prison. The bill would require the Department of Finance to calculate high performance grants to county probation departments as 5% of the total statewide estimated number of probationers successfully prevented from being incarcerated multiplied by the state's cost of housing an inmate in a contract facility, and to supervise on parole a probationer who was sent to prison. The bill would create the Recidivism Reduction Fund in the State Treasury to be available upon appropriation by the Legislature for activities designed to reduce the state's prison population, and would allow funds available in the Recidivism Reduction Fund to be transferred to the State Community Corrections Performance Incentives Fund. (9) The bill would appropriate \$315,000,000 from the General Fund to the Department of Corrections and Rehabilitation for the purposes of this measure. The bill would require the department to spend the funds only to the extent needed to avoid early release. The bill would require any amounts not encumbered by June 30, 2014 to be transferred to the Recidivism Reduction Fund, except as provided. The bill would require the Secretary of the Department of Corrections and Rehabilitation to report no later than April 1, 2014, and again on April 1, 2015, to the Director of Finance and specified legislative committees detailing the number of inmates housed in leased beds and in contracted beds both inside and outside of the state pursuant to this measure. The bill would require the administration to assess the state prison system, including capacity needs, prison population levels, recidivism rates, and factors effecting crime levels, and to develop recommendations on balanced solutions that are cost effective and protect public safety. The bill would require the Department of Finance to submit the administration's interim report to the Legislature not later than April 1, 2014, and to submit the final report to the Legislature not later than January 10, 2015. (10) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

**SB 127**      *Firearms: mentally disordered persons*

**Gaines** Existing law prohibits a person from possessing a firearm or deadly weapon for a period of 6 months when the person has communicated a serious threat of physical violence against a reasonably identifiable victim or victims to a licensed psychotherapist. Existing law requires the licensed psychotherapist to immediately report the identity of the person to a local law enforcement agency, and requires the local law enforcement agency to immediately notify the Department of Justice. This bill would instead require the licensed psychotherapist to make the report to local law enforcement within 24 hours, in a manner prescribed by the department. The bill would require the local law enforcement agency receiving the report to notify the department electronically within 24 hours, in a manner prescribed by the department.

**SB 140**      *Firearms: prohibited persons*

**Leno** Existing law establishes the Dealers' Record of Sale Special Account in the General Fund with moneys in the account available upon appropriation by the Legislature. Existing law requires the Attorney General to establish and maintain an online database to be known as the Prohibited Armed Persons File, sometimes referred to as the Armed Prohibited Persons System, to cross-reference persons who have ownership or possession of a firearm with those who are prohibited from owning or possessing a firearm. This bill would appropriate \$24,000,000 from the Dealers'

Record of Sale Special Account to the Department of Justice to address the backlog in the Armed Prohibited Persons System, thereby making an appropriation. The bill would require the department to report to the Joint Legislative Budget Committee regarding ways the backlog in the Armed Prohibited Persons System has been reduced or eliminated, as specified. The bill would make related findings and declarations. This bill would declare that it is to take effect immediately as an urgency statute.

SB 260  
Hancock

*Youth offender parole hearings*

Existing law provides that the Secretary of the Department of Corrections and Rehabilitation or the Board of Parole Hearings, or both, may, for specified reasons, recommend to the court that a prisoner's sentence be recalled, and that a court may recall a prisoner's sentence. When a defendant who was under 18 years of age at the time of the commission of a crime has served at least 15 years of his or her sentence, existing law allows the defendant to submit a petition for recall and resentencing, and authorizes the court, in its discretion, to recall the sentence and to resentence the defendant, provided that the new sentence is not greater than the initial sentence. This bill would require the Board of Parole Hearings to conduct a youth offender parole hearing to consider release of offenders who committed specified crimes prior to being 18 years of age and who were sentenced to state prison. The bill would make a person eligible for release on parole at a youth offender parole hearing during the 15th year of incarceration if the person meeting these criteria received a determinate sentence, during the 20th year if the person received a sentence that was less than 25 years to life, and during the 25th year of incarceration if the person received a sentence that was 25 years to life. The bill would require the board, in reviewing a prisoner's suitability for parole, to give great weight to the diminished culpability of juveniles as compared to adults, the hallmark features of youth, and any subsequent growth and increased maturity of the prisoner in accordance with relevant case law. The bill would require that, in assessing growth and maturity, psychological evaluations and risk assessment instruments, if used by the board, be administered by licensed psychologists employed by the board and take into consideration the diminished culpability of juveniles as compared to that of adults, the hallmark features of youth, and any subsequent growth and increased maturity of the individual. The bill would permit family members, friends, school personnel, faith leaders, and representatives from community-based organizations with knowledge about the young person prior to the crime or his or her growth and maturity since the commission of the crime to submit statements for review by the board. Existing law requires the board to meet with each inmate sentenced pursuant to certain provisions of law during his or her 3rd year of incarceration for the purpose of reviewing his or her file, making recommendations, and documenting activities and conduct pertinent to granting or withholding postconviction credit. This bill would instead require the board to meet with those inmates, including those who are eligible to be considered for parole pursuant to a youth offender parole hearing, during the 6th year prior to the inmate's minimum eligible parole release date. The bill would also require the board to provide an inmate additional, specified information during this consultation, including individualized recommendations regarding the inmate's work assignments, rehabilitative programs, and institutional behavior, and to provide those findings and recommendations, in writing, to the inmate within 30 days following the consultation. Existing law, added by Proposition 8, adopted June 8, 1982, and amended by Proposition 36, adopted November 6, 2012, commonly known as the Three Strikes law, requires increased penalties for certain recidivist offenders in addition to any other enhancement or penalty provisions that may apply, including individuals with current and prior convictions of a serious felony, as specified. Existing law, as amended by Proposition 83, adopted November 7, 2006, commonly known as Jessica's Law, requires a person convicted of certain felonies under specified circumstances to be committed to prison for a term of years to life. This bill would exempt from its provisions inmates who were sentenced pursuant to the Three Strikes law or Jessica's Law, or sentenced to life in prison without the possibility of parole. The bill would not apply to an individual to whom the bill would otherwise apply, but who, subsequent to attaining 18 years of age, commits an additional crime for which malice aforethought is a necessary element of the crime or for which the individual is sentenced to life

in prison.

SB 326

*Sex offenders*

Beall

Existing law makes it a misdemeanor for any person who is required to register as a sex offender to come into any school building or upon any school ground without lawful business and written permission from the chief administrative official of the school. This bill would require that the written permission indicate the date or date range and time for which permission is granted. The bill would authorize the chief administrative official of the school to grant a registered sex offender who is not a family member of a pupil who attends that school, permission to come into a school building or upon the school grounds to volunteer at the school, provided that the chief administrative official notifies the parent or guardian of each child attending the school of the permission, as specified.

SB 363

*Firearms: criminal storage: unsafe handguns: fees*

Wright

(1) Existing law requires the Department of Justice to maintain a roster listing all pistols, revolvers, and other firearms capable of being concealed on the person that have been tested by a certified testing laboratory and have been determined not to be unsafe handguns. Existing law allows the department to charge manufacturers of firearms an annual fee not to exceed the costs of preparing, publishing, and maintaining the roster. This bill would require the annual fee, commencing on January 1, 2015, to be paid on January 1, or the next business day, of every year. (2) Existing law makes it a misdemeanor punishable with specified penalties if a person keeps a handgun at the person's premises and knows or reasonably should know that a child is likely to gain access to the handgun without permission, as specified, and the child gains access to the handgun and carries it off-premises or off-premises to a school, as specified. This bill would make that prohibition apply to a person who keeps a handgun at the person's premises and knows or reasonably should know that a prohibited person, as specified, is likely to gain access to the handgun, and the prohibited person gains access to the handgun and carries it off-premises or off-premises and to a school, as specified. (3) Existing law makes it an offense for any person in this state to manufacture or cause to be manufactured, import into the state for sale, keep for sale, offer or expose for sale, give, or lend any unsafe handgun, as defined. Existing law exempts from those prohibitions, the sale of handguns to, or the purchase of handguns by, specified law enforcement entities, among others. This bill would exempt the sale of handguns to, or the purchase of handguns by, federal law enforcement agencies from the application of those prohibitions. (4) Existing law, subject to exceptions, provides that the offense of criminal storage of a firearm is committed when a person who keeps any loaded firearm within any premises that are under the person's custody or control knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby causes death or injury to the child or any other person, as specified, or carries the firearm to a public place, or unlawfully displays or uses the firearm, as specified. This bill would expand these provisions to include the circumstance of when the person who keeps the firearm knows or reasonably should know that a person prohibited from owning or possessing a firearm or deadly weapon, as specified, is likely to gain access to the firearm, and that person gains access to the firearm and thereby causes death or injury to himself or herself or any other person, as specified, or carries the firearm to a public place, or unlawfully displays or uses the firearm, as specified.

SB 458

*Gangs: statewide database*

Wright

Existing law, the California Street Terrorism Enforcement and Prevention Act, makes it unlawful to engage in criminal gang activity, including actively participating in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and willfully promoting, furthering, or assisting in any felonious criminal conduct by members of the gang. This bill would require, prior to a local law enforcement agency designating, or submitting a document to the Attorney General's office for the purpose of

designating, a person as a gang member, associate, or affiliate in a shared gang database, as defined, the local law enforcement agency to provide written notice to the person and his or her parent or guardian of the designation and the basis for the designation if the person is under 18 years of age, except as specified. The bill would authorize the person or his or her parent or guardian to submit written documentation contesting the designation and would require the local law enforcement agency to provide written verification of its decision within 60 days.

SB 513      *Diversion programs: sealed records*

Hancock      Existing law provides that, upon successful completion of a drug diversion program or deferred entry of judgment program, the court may order the sealing of court and arrest records of the diverted charges where the interests of justice would be served, as specified. This bill would provide that in any case where a person is arrested and successfully completes a prefiling diversion program administered by a prosecuting attorney in lieu of filing an accusatory pleading, the person may petition the superior court that would have had jurisdiction over the matter for an order to seal the records of the arresting agency and related court files and records, and the court may issue that order if the court finds that doing so will be in furtherance of justice. The bill would provide that the Department of Justice shall continue to be able to maintain and disseminate any records or documents received or maintained by it, as authorized by law.

SB 530      *Criminal offenders: rehabilitation*

Wright      Existing law prohibits an employer, whether a public agency or private individual or corporation, from asking an applicant for employment to disclose, or from utilizing as a factor in determining any condition of employment, information concerning an arrest or detention that did not result in a conviction, or information concerning a referral or participation in, any pretrial or posttrial diversion program, except as specified. Existing law makes it a crime to intentionally violate these provisions. This bill would additionally prohibit an employer, as specified, from asking an applicant to disclose, or from utilizing as a factor in determining any condition of employment, information concerning a conviction that has been judicially dismissed or ordered sealed, as provided, unless the employer is required by law to obtain that information, the applicant would be required to possess or use a firearm in the course of his or her employment, an individual who has been convicted of a crime is prohibited by law from holding the position sought by the applicant, regardless of whether that conviction has been expunged, judicially ordered sealed, statutorily eradicated, or judicially dismissed following probation, or if the employer is prohibited by law from hiring an applicant who has been convicted of a crime. Because this bill would expand the definition of a crime, it would impose a state-mandated local program. Existing law authorizes an individual convicted of a felony or convicted of a misdemeanor violation of a sex offense, as specified, to file a petition for a certificate of rehabilitation and a pardon provided that certain conditions have been satisfied. Existing law authorizes, after the minimum period of rehabilitation has expired, an individual, as specified, to file a petition for ascertainment and declaration of rehabilitation. Existing law authorizes a court to grant an order known as a certificate of rehabilitation and recommend that the Governor grant a full pardon to certain individuals. This bill would authorize a trial court hearing an application for a certificate of rehabilitation before the applicable period of rehabilitation has elapsed to grant the application if the court, in its discretion, believes relief serves the interests of justice.

SB 569      *Interrogation: electronic recordation*

Lieu      Existing law provides that under specified conditions the statements of witnesses, victims, or perpetrators of specified crimes may be recorded and preserved by means of videotape. This bill would require the electronic recordation of the entire custodial interrogation of a minor who is in a fixed place of detention, as defined, and who, at the time of the interrogation, is suspected of committing or accused of committing murder. The bill would set forth various exceptions from

this requirement, including if the law enforcement officer conducting the interrogation or his or her superior reasonably believes that electronic recording would disclose the identity of a confidential informant or jeopardize the safety of an officer, the individual being interrogated, or another individual. The bill would require the prosecution to show by clear and convincing evidence that an exception applies to justify the failure to make that electronic recording. The bill would also require the interrogating entity to maintain the original or an exact copy of an electronic recording made of the interrogation until the final conclusion of the proceedings, as specified. The bill would require the court to provide jury instructions to be developed by the Judicial Council if the court finds that a defendant was subjected to a custodial interrogation in violation of the above-mentioned provisions. The bill would make these provisions applicable to juvenile court proceedings, as specified. By imposing these new requirements on local law enforcement, this bill would impose a state-mandated local program.

SB 602  
Committee  
on Human  
Services

*Child abuse prevention, intervention, and treatment projects*

Existing law allows the Office of Child Abuse Prevention to fund, through allocations provided to local counties, child abuse and neglect prevention and intervention programs. Existing law provides the criteria under which a county selects agency projects and services to be funded under these provisions, including that priority shall be given to private, nonprofit agencies and that training and technical assistance shall be provided by private, nonprofit agencies, as specified. Existing law requires funds allocated to a county to revert to the State Children's Trust Fund and be administered, as provided, if that county chooses not to contract or subcontract for the provision of services. This bill would remove required training and technical assistance by private, nonprofit agencies as a selection criteria. This bill would also remove the requirement that funds allocated to a county that chooses not to contract or subcontract for the provision of services revert to the State Children's Trust Fund. The bill would make conforming changes to related provisions.

SB 618  
Leno

*Wrongful convictions*

Existing law provides that any person who, having been convicted of any crime against the state amounting to a felony and imprisoned in the state prison for that conviction, is granted a pardon by the Governor for specified reasons, and having served the term or any part thereof for which he or she was imprisoned, may present a claim against the state to the California Victim Compensation and Government Claims Board for the pecuniary injury sustained by him or her through the erroneous conviction and imprisonment, as specified. This bill would extend those provisions to a person who was incarcerated in county jail for a felony conviction. The bill would provide that in a contested proceeding, if the court grants a writ of habeas corpus concerning a person who is unlawfully imprisoned or restrained, or when the court vacates a judgment on the basis of new evidence, as defined, concerning a person who is no longer unlawfully imprisoned or restrained, and if the court finds that the new evidence on the petition points unerringly to innocence, the court's finding would be binding on the California Victim Compensation and Government Claims Board for a claim presented to the board. The bill would provide that, upon application by the petitioner, the California Victim Compensation and Government Claims Board would, without a hearing, be required to recommend to the Legislature that an appropriation be made, and the claim be paid, as specified. The bill would require, in a hearing before the board, that the factual findings and credibility determinations establishing the court's basis for granting the writ of habeas corpus, a motion for new trial, or an application for a certificate of factual innocence be binding on the Attorney General, the factfinder, and the board. The bill would also provide that if the district attorney or Attorney General stipulates to or does not contest the factual allegations underlying one or more of the grounds for granting a writ of habeas corpus or a motion to vacate a judgment, the facts underlying the basis for the court's ruling or order shall be binding on the Attorney General, the factfinder, and the board. The bill would also require the district attorney to provide notice to the Attorney General prior to entering into a stipulation of facts that will be the basis for the

granting of a writ of habeas corpus or a motion to vacate a judgment. The bill would also provide that the express factual findings, as defined, made by the court, as specified, shall be binding on the Attorney General, the factfinder, and board. Existing law requires a claim for wrongful imprisonment be presented by the claimant to the California Victim Compensation and Government Claims Board within a period of 2 years after judgment of acquittal or discharge given, or after pardon granted, or after release from imprisonment in order to be considered by the board. This bill would revise those provisions to extend the time period to be 2 years from release from custody. The bill would define release from custody for those purposes as release from imprisonment from state prison or from incarceration in county jail, where there is no subsequent parole jurisdiction or postrelease jurisdiction exercised by the Department of Corrections and Rehabilitation or community corrections program, respectively, or where there is a parole period or postrelease period subject to jurisdiction of a community corrections program, when that period ends. Existing law requires the California Victim Compensation and Government Claims Board to, upon presentation of a claim, fix a time and place for the hearing of the claim, and to mail notice thereof to the claimant and to the Attorney General at least 15 days prior to the time fixed for the hearing. This bill would instead require the Attorney General to respond to the claim within 60 days or to request an extension of time, upon a showing of good cause, except as specified. The bill would require the board to fix a time and place for the hearing of the claim, to mail notice to the claimant at least 15 days prior to the time fixed for the hearing, and, if the period for response lapses without a request for extension or a response from the Attorney General, to make a recommendation based on the claimant's verified claim and any evidence presented by him or her. The bill would also require the board, in cases involving a finding of factual innocence, as specified, or a finding by the court that the facts point unerringly to innocence, to calculate the compensation for the claimant within 30 days of presentation of the claim, as specified, and recommend to the Legislature the payment of that sum, as specified. Existing law provides that at the hearing set by the board, the claimant is required to prove, among other things, the fact that he or she did not, by any act or omission on his or her part, intentionally contribute to the bringing about of his or her arrest or conviction for the crime with which he or she was charged. Existing law also provides that when determining whether the claimant intentionally contributed to the bringing about of his or her arrest or conviction, the factfinder shall not consider statements obtained from an involuntary false confession or involuntary plea, and that the claimant bears the burden of proving by a preponderance of the evidence that the statements were obtained from an involuntary false confession or involuntary plea. This bill would delete those provisions. The bill would require the board to deny a claim if the board finds by a preponderance of the evidence that a claimant pled guilty with the specific intent to protect another from prosecution for the underlying conviction for which the claimant is seeking compensation. Existing law provides that if the evidence shows that the crime with which the claimant was charged was either not committed at all, or, if committed, was not committed by the claimant, and that the claimant did not, by any act or omission, intentionally contribute to the bringing about of his or her arrest or conviction for the crime with which he or she was charged, and that the claimant has sustained pecuniary injury through his or her erroneous conviction and imprisonment, the California Victim Compensation and Government Claims Board shall report the facts of the case and its conclusions to the next Legislature, with a recommendation that an appropriation be made by the Legislature for the purpose of indemnifying the claimant for the pecuniary injury. This bill would remove the requirement on the claimant to prove that he or she did not, by any act or omission, intentionally contribute to the bringing about of his or her arrest or conviction for the crime with which he or she was charged.

SB 683  
Block

*Firearms: firearm safety certificate*

Existing law, subject to exceptions, prohibits a person from purchasing or receiving any handgun without a valid handgun safety certificate, and prohibits any person from selling, delivering, loaning, or transferring any handgun to any person who does not have a valid handgun safety certificate, with exceptions, as specified. Under existing law, a violation of these

provisions is a misdemeanor. This bill would instead, commencing January 1, 2015, and subject to exceptions, prohibit a person from purchasing or receiving any firearm without a valid firearm safety certificate, and would, subject to exceptions, prohibit any person from selling, delivering, loaning, or transferring any firearm to any person who does not have a valid firearm safety certificate. The bill would make conforming changes. The bill would also make technical, nonsubstantive changes. The bill would, commencing January 1, 2015, and subject to exceptions, require a safe handling demonstration for purchasers of long guns, and would require the Department of Justice to adopt regulations to establish a long gun safe handling demonstration no later than January 1, 2015. The bill would define the term “long gun” for these purposes. By expanding the scope of a crime, this bill would impose a state-mandated local program. Existing law allows the Department of Justice to charge a certified instructor up to \$15 for each handgun safety certificate issued by that instructor and requires the funds to be deposited in the Firearms Safety and Enforcement Special Fund, which is a continuously appropriated fund. This bill would, commencing January 1, 2015, allow the department to collect \$15 for each firearm safety certificate and would require the funds to be deposited in the Firearms Safety and Enforcement Special Fund, which is continuously appropriated, thereby making an appropriation.



## Economic Development and Income

### AB 10 *Minimum wage: annual adjustments*

Lieu Existing law requires that, on and after January 1, 2008, the minimum wage for all industries be not less than \$8.00 per hour. This bill would increase the minimum wage, on and after July 1, 2014, to not less than \$9 per hour. The bill would further increase the minimum wage, on and after January 1, 2016, to not less than \$10 per hour.

### AB 93 *Economic development: taxation: credits, deductions, exemptions, and net operating losses*

Committee on Budget (1) Existing law provides for the designation and oversight by the Department of Housing and Community Development of various economic development areas in the state, including enterprise zones, manufacturing enhancement areas, targeted tax areas, and local agency military base recovery areas, or LAMBRAs. Existing law allows various incentives to businesses operating in these areas. This bill would repeal the provisions authorizing those designations on January 1, 2014. (2) The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including hiring credits and sales and use tax credits for taxpayers within the specified economic development areas, and a hiring credit for taxpayers, other than those allowed a credit with respect to operating in the specified economic development areas. Those laws, for taxpayers engaged in business within specified economic development areas, authorize specified net operating loss carryovers and expense deductions in computing income subject to taxes. Those laws also authorize an interest deduction for interest received in payment of indebtedness of a person engaged in business in an enterprise zone. This bill generally would make these provisions inoperative for taxable years beginning on or after January 1, 2014, and repeal these provisions on either December 1, 2014, or December 1, 2019, as provided. This bill would limit the application of sales and use tax credits to sales and use tax paid for purchases before January 1, 2014, and limit the carryover of those credits to the 10 succeeding years, limit the application of the hiring credits to employees hired within a specified period before January 1, 2014, and limit the carryovers for those credits to the 10 succeeding years. The bill would limit the interest deduction to interest received before January 1, 2014. This bill would also allow a credit against tax under both laws for each taxable year beginning on or after January 1, 2014, and before January 1, 2025, in an amount as provided in a written agreement between the Governor's Office of Business and Economic Development and the taxpayer, agreed upon by the California Competes Tax Credit Committee as established by this bill, and based on specified factors, including the number of jobs the taxpayer will create or retain in the state and the amount of investment in the state by the taxpayer. The bill would limit the aggregate amount of credits allowed to taxpayers to a specified sum per fiscal year. This bill would, under both laws for taxable years beginning on or after January 1, 2014, and before January 1, 2021, allow a credit against tax for portions of the wages paid by a taxpayer engaged in a trade or business within a designated census tract, as defined, or a former enterprise zone to certain full-time employees who provide services for that taxpayer in connection with that trade or business. The bill would require the Population Research Unit in the Department of Finance to identify designated census tracts in accordance with certain criteria. (3) Existing sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provides various exemptions from those taxes. The bill would exempt from those taxes, on and after July 1, 2014, and before January 1, 2019, or before July 1, 2021, the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased by a qualified person for use primarily in manufacturing, processing, refining, fabricating, or recycling of property, as specified; qualified tangible personal property purchased for use by a contractor for specified purposes, as provided; and qualified tangible personal property purchased for use by a qualified

person to be used primarily in research and development, as provided. The bill would require the purchaser to furnish the retailer with an exemption certificate, as specified. The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law, and existing law authorizes districts, as specified, to impose transactions and use taxes in conformity with the Transactions and Use Tax Law, which conforms to the Sales and Use Tax Law. Exemptions from state sales and use taxes are incorporated into these laws. This bill would specify that this exemption does not apply to local sales and use taxes, transactions and use taxes, and specified state taxes from which revenues are deposited into the Local Public Safety Fund, the Education Protection Account, the Local Revenue Fund, the Fiscal Recovery Fund, or the Local Revenue Fund 2011. (4) This bill would appropriate up to \$600,000 for allocation to a committee and departments, as specified, by the Director of Finance in furtherance of the objectives of this bill, as provided. (5) This bill would declare that it is to take effect immediately as an urgency statute.

AB 106      *Economic development: taxation: credits*

Committee on Budget      The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws, including a hiring credit for qualified taxpayers who hire qualified employees, as defined, within enterprise zones and local agency military base recovery areas (LAMBRAs), subject to specified criteria and requirements. Those laws require that a taxpayer obtain a certification from the Employment Development Department, as permitted by federal law, the local county or city Job Training Partnership Act administrative entity, the local county GAIN office or social services agency, or the local government administering a specified area or zone that provides that a qualified employee meets the specified eligibility requirements. Those laws are inoperative for taxable years beginning on or after January 1, 2014, except as provided. Those laws are repealed on December 1, 2019. This bill would instead make these credits inoperative on January 1, 2014. This bill would authorize any local entity, as specified, authorized to issue a certification that provides that a qualified employee, qualified disadvantaged individual, or qualified displaced employee meets specified eligibility requirements, to continue to accept applications for certification and to issue the certifications up to but no later than January 1, 2015. This bill would also make other clarifying and technical changes. This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature. This bill would take effect immediately as a tax levy.

AB 241      *Domestic work employees: labor standards*

Ammiano      Existing law regulates the wages, hours, and working conditions of any man, woman, and minor employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. Existing law creates the Industrial Welfare Commission and authorizes it to adopt rules, regulations, and orders to ensure that employers comply with those provisions. Wage Order No. 15-2001 of the commission regulates wages, hours, and working conditions for household occupations. Existing law makes violations of certain of these provisions a misdemeanor. This bill would enact the Domestic Worker Bill of Rights to, until January 1, 2017, regulate the hours of work of certain domestic work employees and provide an overtime compensation rate for those employees. The bill would define various terms for the purposes of the act, including defining domestic work to mean services related to the care of persons in private households or maintenance of private households or their premises, which would include childcare providers, caregivers of people with disabilities, sick, convalescing, or elderly persons, house cleaners, housekeepers, maids, and other household occupations. The bill would, until January 1, 2017, require the Governor to convene a committee to study and report to the Governor on the effects of this act. By expanding the definition of a crime, this bill would impose a state-mandated local program.

- AB 419      *CalWORKs: eligibility*  
Lowenthal      (1) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families. Existing law specifies criteria for eligibility for the CalWORKs program, and limits the receipt of aid to families with related children under 18 years of age, as specified. Existing law prohibits a child from receiving aid while he or she is a patient in a public hospital, except with respect to temporary medical or surgical care not exceeding two calendar months, as provided. This bill would instead require that a child who is a patient in a public or private hospital for medical or surgical care be considered temporarily absent from the home for the duration of the hospital stay. To the extent that this bill would expand CalWORKs eligibility and thereby increase the duties of counties administering the program, the bill would impose a state-mandated local program. (2) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program. This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill. (3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.
- AB 442      *Employees: wages*  
Nazarian      Existing law authorizes the Labor Commissioner to investigate and enforce statutes and orders of the Industrial Welfare Commission that, among other things, specify the requirements for the payment of wages by employers. Existing law provides for criminal and civil penalties for violations of statutes and orders of the commission regarding payment of wages. Existing law authorizes the Labor Commissioner to recover liquidated damages for an employee who brings a complaint alleging payment of less than the minimum wage fixed by an order of the commission or by statute. Existing law subjects any employer, who pays or causes to be paid to any employee a wage less than the minimum fixed by an order of the commission or by statute, to a citation that includes a civil penalty and the payment of restitution of wages to the employee. This bill would expand that penalty and restitution provision for a citation to also subject the employer to payment of liquidated damages to the employee.
- AB 562      *Economic development subsidies: review by local agencies*  
Williams      Existing law provides for various programs for economic development activities by state and local agencies. This bill would, beginning January 1, 2014, require each local agency, as defined, to provide specified information to the public before approving an economic development subsidy, as defined, within its jurisdiction, and to review, hold hearings, and report on those subsidies at specified intervals.
- AB 1094      *CalWORKs: eligibility*  
Brown      (1) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families. Existing law requires a county to redetermine the amount of a CalWORKs grant on a semiannual basis, as specified. Under existing law, certain amounts are exempt from the calculation of income of the family for purposes of determining the amount of a grant under the CalWORKs program, including disability-based unearned income, as specified. Under existing law, disability-based unearned income means state disability insurance benefits, private disability insurance benefits, temporary workers' compensation benefits, and social security

disability benefits. This bill would expand the definition of disability-based unearned income to include veteran's disability compensation. To the extent that this bill would increase county administrative duties, the bill would impose a state-mandated local program. (2) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program. This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

AB 1220 *Consumer credit reporting: adverse action*

Skinner Existing law requires a consumer credit reporting agency, upon request and proper identification of any consumer, to allow the consumer to visually inspect all files maintained regarding that consumer at the time of the request. Existing law additionally grants a consumer the right to request and receive a written copy of the file. Existing federal law prohibits a consumer credit reporting agency from prohibiting a user of a consumer credit report furnished by the agency from disclosing the contents of the report to the consumer if adverse action has been taken against the consumer by the user based on the report. This bill would make it unlawful for a consumer credit reporting agency to prohibit, or to dissuade or attempt to dissuade, a user of a consumer credit report furnished by the credit reporting agency from providing a copy of the consumer's credit report to the consumer, upon the consumer's request, if the user has taken adverse action against the consumer based upon the report. The bill would authorize the Attorney General, among others, to bring a civil action, for a civil penalty not to exceed \$5,000, against any credit reporting agency for a violation of these provisions.

AB 1336 *Prevailing wages: payroll records*

Frazier Existing law requires the Labor Commissioner, if the commissioner or his or her designee determines after an investigation that there has been a violation of the public works provisions, to issue a civil wage and penalty assessment to the contractor or subcontractor, or both. The assessment is required to be in writing, describe the nature of the violation and the amount of wages, penalties, and forfeitures due, and include the basis for the assessment. The assessment is required to be served not later than 180 days after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 180 days after acceptance of the public work, whichever occurs last. If the assessment is served after the expiration of the 180-day period, but before the expiration of an additional 180 days, and the awarding body has not yet made full payment to the contractor, the assessment is valid up to the amount of the funds retained. This bill would change the deadline for service of the assessment to not later than 18 months after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 18 months after acceptance of the public work, whichever occurs last. The bill would delete the provisions with regard to an assessment served after the expiration of the 180-day period. Existing law requires contractors engaged in public works to pay employees the prevailing wage, as determined by the Director of Industrial Relations, and to comply with requirements relating to recordkeeping and employee work schedules. A joint labor-management committee, established pursuant to a specified provision of federal law, is authorized to bring an action against any employer who fails to pay prevailing wages as required by state law. The action is required to be commenced not later than 180 days after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work, or some part thereof, was performed, or not later than 180 days after acceptance of the public work, whichever occurs last. This bill would delete the 180-day requirement and would instead require that the action be commenced not later than 18 months after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 18 months after acceptance of the public work, whichever occurs last. The bill would require, among other things, the court, in an action on prevailing wages, to award restitution to an employee for unpaid wages, plus interest, from the date the wages became payable, and

liquidated damages equal to the amount of unpaid wages owed, and would authorize the imposition of civil penalties only against an employer that failed to pay the prevailing wage to its employees, injunctive relief, or any other appropriate equitable relief. Existing law requires each contractor and subcontractor to keep accurate payroll records showing the name, address, social security number, work classification, straight time, and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Any copy of records made available for inspection by, or furnished to, a joint labor-management committee is required to be marked or obliterated only to prevent disclosure of an individual's name and social security number. This bill would instead require that any copy of payroll records made available for inspection by, or furnished to, a joint labor-management committee, established pursuant to federal law, is required to be marked or obliterated only to prevent disclosure of an individual's social security number. The bill would also require that any copy of records made available for inspection by, or furnished to, a multiemployer Taft-Hartley trust fund that requests the records for the purposes of allocating contributions to participants be marked or obliterated only to prevent disclosure of an individual's full social security number, but provide the last 4 digits of the social security number.

SB 90  
Galgiani

*Economic development: taxation: credits: exemption*

Existing sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provides various exemptions from those taxes. Existing law exempts from those taxes, on and after July 1, 2014, and before January 1, 2019, the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased by a qualified person for use primarily in manufacturing, processing, refining, fabricating, or recycling of property, as specified; qualified tangible personal property purchased for use by a contractor for specified purposes, as provided; and qualified tangible personal property purchased for use by a qualified person to be used primarily in research and development, as provided, and until January 1, 2021, the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased by a qualified person for those purposes for use within a designated census tract or a former enterprise zone. Existing law specifies that this exemption does not apply to local sales and use taxes, transactions and use taxes, and specified state taxes from which revenues are deposited into the Local Public Safety Fund, the Education Protection Account, the Local Revenue Fund, the Fiscal Recovery Fund, or the Local Revenue Fund 2011. This bill would extend the application of the exemption from January 1, 2019, to July 1, 2022, and eliminate the requirement that, after January 1, 2019, the qualified tangible personal property purchased by a qualified person for those purposes for use within a designated census tract or a former enterprise zone. The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including hiring credits within the specified economic development areas, and a hiring credit for taxpayers, other than those allowed a credit with respect to operating in the specified economic development areas. This bill would, under both laws for taxable years beginning on or after January 1, 2014, and before January 1, 2021, revise the definitions of "qualified full-time employee," "qualified taxpayer," and "small business" for the credit against those taxes for portions of the wages paid by a taxpayer, engaged in a trade or business within a designated census tract, as defined, or an economic development area, to certain full-time employees who provide services for that taxpayer in connection with that trade or business. This bill would additionally expand the definition of "qualified wages" for qualified full-time employees within a designated pilot area, as provided. Existing law also allows a credit against tax under both laws for each taxable year beginning on or after January 1, 2014, and before January 1, 2025, in an amount as provided in a written agreement between the Governor's Office of Business and Economic Development and the taxpayer, agreed upon by the California Competes Tax Credit Committee, and based on specified factors, including the

number of jobs the taxpayer will create or retain in the state and the amount of investment in the state by the taxpayer. Existing law limits the aggregate amount of credits allocated to taxpayers to a specified sum per fiscal year. This bill would make specifications regarding the fiscal year allocation under these provisions of credit amounts and the taxable years for which the allocated amounts may be claimed as a credit allowed to taxpayers. This bill would also restate the carryover period of certain tax credits that were amended by AB 93 of the 2013-14 Regular Session and the operation of existing law with respect to those carryover credits. This bill would make the operation of its modifications and revisions contingent on the enactment of AB 93 of the 2013-14 Regular Session, as specified. This bill would declare that it is to take effect immediately as an urgency statute.

SB 252

Liu

*CalWORKs: welfare-to-work requirements*

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds. As part of the CalWORKs program, participants, unless specifically exempted, are required to participate in welfare-to-work activities. Existing law exempts from the welfare-to-work requirements a woman who is pregnant and for whom it has been medically verified that the pregnancy impairs her ability to be regularly employed or participate in welfare-to-work activities. Existing law also requires that a recipient be excused for good cause when the county has determined there is a condition or circumstance that temporarily prevents or significantly impairs the recipient's ability to be regularly employed or participate in welfare-to-work activities. This bill would specify that a pregnant woman who is unable to obtain that medical verification but is otherwise eligible for the good cause exemption shall be exempt from participation in welfare-to-work activities. The bill would authorize a pregnant woman to satisfy welfare-to-work participation requirements, as specified, by participating in a voluntary maternal, infant, and early childhood home visiting program or another home visiting program for low-income Californians that is approved by the United States Department of Health and Human Services, subject to the receipt of a federal waiver, as provided. Under existing law, a mother may breastfeed her child in any location, public or private, except the private home or residence of another, where the mother and the child are otherwise authorized to be present. This bill would state that, pursuant to the above-described provision, an applicant or recipient of CalWORKs is entitled to breastfeed her child in any public area, or area where the mother and the child are authorized to be present, in a county welfare department or other county office. The bill would make related legislative findings and declarations.

SB 288

Lieu

*Employment protections: time off*

Existing law prohibits an employer from discharging or in any manner discriminating against an employee for taking time off to serve on a jury, an employee who is a victim of a crime for taking time off to appear in court as a witness in any judicial proceeding, or an employee who is a victim of domestic violence or a victim of sexual assault for taking time off from work to obtain or attempt to obtain prescribed relief. Existing law entitles an employee who is discriminated or retaliated against in the terms and conditions of employment by his or her employer because the employee has taken time off for specified purposes to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer. Under existing law, an employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who has been determined to be eligible for rehiring or promotion by a grievance procedure or hearing authorized by law is guilty of a misdemeanor. Existing law authorizes an employee who is discharged, threatened with discharge, demoted, suspended, or otherwise discriminated or retaliated against by his or her employer in violation of these provisions to file a complaint with the Division of Labor Standards Enforcement of the Department of Industrial Relations, as specified. This bill would additionally prohibit an employer from discharging or in any manner discriminating or retaliating against an employee

who is a victim, as defined, of specified offenses, as described, for taking time off from work, upon the victim's request, to appear in court to be heard at any proceeding, including any delinquency proceeding, involving a postarrest release decision, plea, sentencing, postconviction release decision, or any proceeding in which a right of the victim is at issue. The bill would also extend those aforementioned protections, including, but not limited to, reinstatement and reimbursement, to an employee who is a victim of specified offenses for taking time off from work to appear at such a court proceeding. Because a violation of the bill's requirements under certain circumstances would be a crime, the bill would impose a state-mandated local program.

SB 292      *Employment: sexual harassment*

Corbett

Existing law, the California Fair Employment and Housing Act, protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation. Existing law makes these provisions applicable to employers, labor organizations, employment agencies, and specified training programs and also defines harassment because of sex for these purposes. This bill would specify, for purposes of the definition of harassment because of sex under these provisions, that sexually harassing conduct need not be motivated by sexual desire.

SB 318      *Consumer loans: Pilot Program for Increased Access to Responsible Small Dollar Loans*

Hill

Existing law, the California Finance Lenders Law, provides for the licensure and regulation of finance lenders and brokers by the Commissioner of Corporations and makes a willful violation of its provisions a crime. Existing law regulates the charges a licensee may impose or receive on loans it makes, and authorizes a licensee to contract for and receive specified alternative charges and administrative and delinquency fees. Existing law establishes, until January 1, 2015, the Pilot Program for Affordable Credit-Building Opportunities for the purpose of increasing the availability of credit-building opportunities to underbanked individuals seeking low-dollar-value loans. Under the program, licensees must file an application with, and pay a fee to, the Commissioner of Corporations to participate in the program. Existing law authorizes a licensee approved by the commissioner to participate in the program to impose specified alternative interest rates and charges, including an administrative fee and delinquency fees, on loans of at least \$250 and less than \$2,500, subject to certain requirements. Existing law also authorizes licensees in the program to use the services of finders, defined as entities who, at the finder's physical location for business, bring licensees and prospective borrowers together for the purpose of negotiating loan contracts at the finder's location, subject to a written agreement meeting specified requirements. The Governor's Reorganization Plan No. 2 of the 2011-12 Regular Session provides that, on and after July 1, 2013, certain responsibilities of the Department of Corporations and the Commissioner of Corporations will be transferred to the Department of Business Oversight and the Commissioner of Business Oversight will be the head of the Department of Business Oversight. This bill would abolish the Pilot Program for Affordable Credit-Building Opportunities. The bill would, until January 1, 2018, establish the Pilot Program for Increased Access to Responsible Small Dollar Loans for the purpose of allowing greater access for responsible installment loans in principal amounts of at least \$300 and less than \$2,500. The bill would require licensees and other entities to file an application and pay a specified fee to the Commissioner of Business Oversight to participate in the program. The bill would authorize a licensee approved by the commissioner to participate in the program to impose specified alternative interest rates and charges, including an administrative fee and delinquency fees, on loans of at least \$300 and less than \$2,500, subject to certain requirements. This bill would also authorize a licensee in the program to use the services of finders, defined as entities who, at the finder's physical location for business, bring licensees and prospective borrowers together for the purpose of negotiating loan contracts, subject to a written agreement

meeting specified requirements. The bill would establish the services a finder is authorized and required to perform, and would require a finder to comply with the laws applicable to the licensee relative to information security. The bill would require a licensee to notify the commissioner within 15 days of entering into a contract with a finder, would require a licensee to pay an annual finder registration fee to the commissioner, and would require a licensee to submit an annual report to the commissioner on the licensee's relationship and business arrangements with a finder, as specified. The bill would authorize the commissioner to examine the operations of a licensee and a finder to ensure that the activities of the licensee and the finder are in compliance with these provisions. The bill would make a licensee that uses a finder responsible for a violation of these provisions by a finder or a finder's employee, and would authorize the commissioner to impose administrative penalties against a finder for a violation of these provisions. The bill would authorize the commissioner, upon a violation of these provisions, to disqualify a finder from performing services, bar a finder from performing services at one or more specific locations of the finder, terminate a written agreement between a licensee and a finder, and, under specified circumstances, prohibit the use of the finder by all licensees. The bill would authorize a licensee participating in the program to appoint one or more branch managers with responsibility for multiple branch locations, subject to approval by the commissioner. This bill would require the commissioner to examine the performance of each licensee in the program at least once every 24 months, and would require the costs of examination to be paid by the licensee to the commissioner, as specified. The bill would also require the commissioner to conduct a random sample survey of borrowers under the program. The bill would require the commissioner to post a report on the commissioner's Internet Web site by July 1, 2015, and once again by January 1, 2017, summarizing utilization of the Pilot Program for Increased Access to Responsible Small Dollar Loans, as specified. This bill would make licensees of the abolished Pilot Program for Affordable Credit-Building Opportunities subject to the newly established Pilot Program for Increased Access to Responsible Small Dollar Loans. The bill would continue in existence any outstanding loans made under the abolished pilot program and the loans would remain subject to the terms and conditions that existed at the time the loan was made.

SB 470  
Wright

*Community development: economic opportunity*

Existing law generally regulates the power of cities, counties, and cities and counties. This bill would state the intent of the Legislature to promote economic development on a local level so that communities can enact local strategies to increase jobs, create economic opportunity, and generate tax revenue for all levels of government. The bill would define economic opportunity to include certain types of agreements, purposes, and projects, and declare that it is the policy of the state to protect and promote the sound development of economic opportunity in cities and counties, and the general welfare of the inhabitants of those communities through the employment of all appropriate means. The bill would state that the creation of economic opportunity and the provisions for appropriate continuing land use and construction policies with respect to property acquired, in whole or in part, for economic opportunity constitute public uses and purposes for which public money may be advanced or expended and private property acquired. The bill would provide that before certain returned city, county, or city and county property is sold or leased for development, the sale or lease shall first be approved by the legislative body, as specified. The bill would authorize a city, county, or city and county to establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures and to assist with the financing of facilities or capital equipment as part of an agreement that provides for the development or rehabilitation of property that will be used for industrial or manufacturing purposes, as specified.

SB 666  
Steinberg

*Employment: retaliation*

Existing law establishes grounds for suspension or revocation of certain business and professional licenses. This bill would subject those business licenses to suspension or



revocation, with a specified exception, if the licensee has been determined by the Labor Commissioner or the court to have violated specified law and the court or Labor Commissioner has taken into consideration any harm such a suspension or revocation would cause to employees of the licensee, as well as the good faith efforts of the licensee to resolve any alleged violations after receiving notice. The bill would subject a licensee of an agency within the Department of Consumer Affairs who has been found by the Labor Commissioner or the court to have violated specified law to disciplinary action by his or her respective licensing agency. The State Bar Act establishes specific causes for the disbarment or suspension of a member of the State Bar. This bill would make it a cause for suspension, disbarment, or other discipline for any member of the State Bar to report suspected immigration status or threaten to report suspected immigration status of a witness or party to a civil or administrative action or his or her family member, as defined, to a federal, state, or local agency because the witness or party exercises or has exercised a right related to his or her employment. Existing law establishes various rights and protections relating to employment and civil rights that may be enforced by civil action. This bill would provide that it is not necessary to exhaust administrative remedies or procedures in order to bring a civil action enforcing designated rights. Under the bill, reporting or threatening to report an employee's, former employee's, or prospective employee's suspected citizenship or immigration status, or the suspected citizenship or immigration status of the employee's or former employee's family member, as defined, to a federal, state, or local agency because the employee, former employee, or prospective employee exercises a designated right would constitute an adverse action for purposes of establishing a violation of the designated right. Because a violation of certain of those designated rights is a misdemeanor, this bill would impose a state-mandated local program by changing the definition of a crime. Existing law prohibits an employer from discharging an employee or in any manner discriminating against any employee or applicant for employment because the employee or applicant has engaged in prescribed protected conduct relating to the enforcement of the employee's or applicant's rights. Existing law makes it a misdemeanor for an employer to take adverse employment action against employees who file bona fide complaints. This bill would also prohibit an employer from retaliating or taking any adverse action against any employee or applicant for employment because the employee or applicant has engaged in protected conduct. The bill would expand the protected conduct to include a written or oral complaint by an employee that he or she is owed unpaid wages. The bill would subject an employer to a civil penalty of up to \$10,000 per violation of these provisions. Existing law entitles an employee to reinstatement and reimbursement for lost wages and benefits if the employee has been discharged, demoted, suspended, or in any way discriminated against because the employee engaged in protected conduct or because the employee made a bona fide complaint or claim or initiated any action or notice, as prescribed. This bill would similarly grant these entitlements to an employee who is retaliated against or subjected to an adverse action. Existing law prohibits an employer from making, adopting, or enforcing any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation. Existing law further prohibits an employer from retaliating against an employee for such a disclosure. Under existing law, a violation of these provisions by an employer is a crime. This bill would additionally prohibit any person acting on behalf of the employer from making, adopting, or enforcing any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, as provided, and would extend those prohibitions to preventing an employee from, or retaliating against an employee for, providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry.

SB 770 Jackson	<p><i>Unemployment compensation: disability benefits: paid family leave</i></p> <p>Under existing law, the family temporary disability insurance program provides up to 6 weeks of wage replacement benefits to workers who take time off work to care for a seriously ill child,</p>
-------------------	---

spouse, parent, domestic partner, or to bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption. These benefits are payable for family temporary disability leaves that begin on and after July 1, 2004. This bill would, beginning on July 1, 2014, expand the scope of the family temporary disability program to include time off to care for a seriously ill grandparent, grandchild, sibling, or parent-in-law, as defined. The bill would also make conforming and clarifying changes in provisions relating to family temporary disability compensation. Under existing law, workers are required to pay contributions to the Unemployment Compensation Disability Fund, a special fund in the State Treasury, and those funds are continuously appropriated for the purpose of providing disability benefits and making payment of expenses in administering those provisions. This bill, by authorizing expenditure of money in the Unemployment Compensation Disability Fund for a new purpose, would make an appropriation.

SB 776  
Corbett

*Public works: prevailing wage rates: employer payment credits*

Existing law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations as specified, be paid to workers employed on public works projects, and imposes misdemeanor penalties for certain violations of this requirement. Under the law, employer payments are a credit against the obligation to pay the general prevailing rate of per diem wages, except credit is not granted for benefits required under state or federal law. Employer payments include the rate of contribution made by the employer to a trustee or 3rd person pursuant to a plan, fund, or program, the rate of actual costs to the employer anticipated in providing benefits to workers pursuant to a specified enforceable commitment, and payments to the California Apprenticeship Council. This bill would provide that an employer may take credit for those specified employer payments, even if those payments are not made during the same pay period for which credit is taken, if the employer regularly makes those payments on no less than a quarterly basis. This bill would prohibit credit from being granted for employer payments made to monitor and enforce laws related to public works if those payments are not required by a collective bargaining agreement.

## Education

- AB 123** *Pupil instruction: social sciences: farm labor movement: Filipinos*  
**Bonta** Existing law requires a school district, as part of its adopted course of study for grades 7 to 12, inclusive, to offer courses in specified areas of study, including, among others, social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology. Existing law requires the State Board of Education to ensure that the state curriculum and framework, where appropriate, include instruction on Cesar Chavez, and the history of the farm labor movement in the United States, and that the state criteria for selecting textbooks include information to guide the selection of textbooks that contain sections that highlight the life and contributions of Cesar Chavez, and the history of the farm labor movement in the United States. This bill would additionally require that the state board ensure that the state curriculum and framework, where appropriate, include instruction on the role of immigrants, including Filipino Americans, in the farm labor movement. The bill would provide that it shall not be implemented unless funds are appropriated by the Legislature in the annual Budget Act or another statute for its purposes.
- AB 166** *Pupil instruction: financial literacy*  
**Roger Hernandez** Existing law requires a school district, as part of its adopted course of study for grades 7 to 12, inclusive, to offer courses in specified areas of study, including, among others, social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology. Existing law requires the State Board of Education, after January 1, 2003, and concurrently with, but not prior to, the next revision of textbooks or curriculum frameworks in the social sciences, health, and mathematics curricula, to ensure that these academic areas integrate components of human growth, human development, and human contribution to society, across the life course, and also financial preparedness. This bill would require the state board to integrate financial literacy, including, but not limited to, budgeting and managing credit, student loans, consumer debt, and identity theft security with those specified academic areas. The bill would also make conforming and nonsubstantive changes.
- AB 182** *Bonds: school districts and community college districts*  
**Buchanan** (1) Existing law authorizes the governing board of any school district or community college district to order an election and submit to the electors of the district the question whether the bonds of the district should be issued and sold to raise money for specified purposes. Existing law requires the bonds to bear a rate of interest that does not exceed 8% per annum and requires the number of years the whole or any part of the bonds are to run to not exceed 25 years. This bill would require the ratio of total debt service to principal for each bond series to not exceed 4 to one. The bill would require each bond, as defined, that allows for the compounding of interest, including, but not limited to, a capital appreciation bond, maturing more than 10 years after its date of issuance to be subject to redemption before its fixed maturity date, as specified, beginning no later than the 10th anniversary of the date the bond was issued. The bill would authorize a school district or community college district with a note issued before December 31, 2013, to seek from the State Board of Education or the Chancellor of the California Community Colleges, as applicable, a one-time waiver from certain requirements of this bill if 2 specified conditions are satisfied. (2) Existing law requires the governing board of a school district or community college district, before the sale of bonds, to adopt a resolution as an agenda item at a public meeting that includes specified information. This bill would require, if the sale includes bonds that allow for the compounding of interest, including, but not limited to, capital appreciation bonds, the agenda item to identify that bonds that allow for the compounding of interest are proposed and require the governing board of the school district or community college district to be presented with specified information concerning the bonds. The bill would require the resolution to be publicly noticed on at least 2 consecutive meeting agendas, first as an information item and 2nd as an action item. (3) Additionally and alternatively to the

authority described above, existing law authorizes the legislative body of an issuer, by resolution, to provide for the issuance of bonds or refunding bonds. This bill would provide that bonds issued pursuant to this authority by a school district or community college district that do not allow for the compounding of interest may have a maturity that is greater than 30 years, but not greater than 40 years, if certain requirements are satisfied. The bill would require a school district or community college district that intends to issue bonds that allow for the compounding of interest, including, but not limited to, capital appreciation bonds, pursuant to this authority to conform the bond issuance to certain requirements otherwise applicable to bonds issued by a school district or community college district pursuant to the authority specified in (1), above.

AB 216  
Stone

*High school graduation requirements: pupils in foster care*

Existing law requires a pupil to complete specified courses while in grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school. Existing law authorizes the governing board of a school district to adopt rules specifying additional coursework requirements. Existing law requires a school district to exempt a pupil in foster care from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements for graduation if the pupil, while he or she is in grade 11 or 12, transfers into the school district from another school district or between high schools within the school district, unless the school district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits. This bill would recast those provisions, and would, instead, require a school district to exempt a pupil in foster care who transfers between schools any time after the completion of the pupil's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements for graduation, unless the school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. The bill would require a school district that determines that a pupil in foster care is reasonably able to complete the school district's graduation requirements within the pupil's 5th year of high school to take specified actions, including permitting the pupil to stay in school for a 5th year to complete the graduation requirements. The bill would allow either the number of credits the pupil has earned to date or the length of the pupil's school enrollment to be used to determine whether the pupil is in the 3rd or 4th year of high school, whichever would qualify the pupil for the exemption. The bill would require the school district to notify, within 30 calendar days of the transfer, a pupil in foster care who may qualify for the exemption, the person holding the right to make educational decisions for the pupil, and the pupil's social worker, of the availability of the exemption and whether the pupil qualifies for the exemption. The bill would require the school district to notify the pupil, and the person holding the right to make educational decisions for the pupil, of the effect the waived requirements will have on the pupil's ability to gain admission to postsecondary educational institutions. The bill would prohibit a school or school district from requiring or requesting that the pupil graduate before the end of his or her 4th year of high school if a pupil is exempted and completes the statewide coursework requirements before the end of his or her 4th year in high school and the pupil is otherwise entitled to remain in attendance at the school, and from requiring or requesting a pupil in foster care to transfer schools in order to qualify the pupil for an exemption. The bill would specify that an eligible pupil shall not be required to accept the exemption or be denied enrollment in or the ability to complete courses for which he or she is otherwise eligible. The bill would prohibit a pupil in foster care, the person holding the right to make educational decisions for the pupil, the pupil's social worker, or the pupil's probation officer from requesting a transfer solely to qualify the pupil for an exemption.

AB 256  
Garcia

*Pupils: grounds for suspension and expulsion: bullying*

Existing law prohibits the suspension, or recommendation for expulsion, of a pupil from school

unless the superintendent of the school district or the principal of the school determines that the pupil has committed any of various specified acts, including, but not limited to, engaging in acts of bullying by means of an electronic act. Existing law further defines “electronic act” as the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, as specified. Existing law prohibits a pupil from being suspended or expelled for any of those acts unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. This bill would instead, for purposes of pupil suspension or recommendation for expulsion from a school, define “electronic act” as the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, as specified.

AB 274  
Bonilla

*Child care and development services*

(1) The Child Care and Development Services Act, administered by the State Department of Education, provides that children up to 13 years of age are eligible, with certain requirements, for child care and development services. The act requires the department to contract with local contracting agencies to provide for alternative payment programs, and authorizes alternative payment programs for services provided in licensed centers and family day care homes and for other types of programs that conform to applicable law. This bill would require child care providers authorized to provide services pursuant to those provisions to submit to the alternative payment program a monthly attendance record or invoice for each child who received services that, at a minimum, documents the dates and actual times care was provided each day. The bill would require the monthly attendance record or invoice to, at a minimum, be signed by the parent or guardian of the child receiving services and the child care provider once per month to attest that the child’s attendance is accurately reflected. The bill would require verification of attendance to be made by signature at the end of each month of care and under penalty of perjury by both the parent or guardian of the child receiving services and the child care provider. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill would require an alternative payment program to accept the monthly attendance record or invoice as documentation of the hours of care provided if the attendance record or invoice includes adequate information documented on a daily basis, as specified. The bill would specify the hours or days and hours that an alternative payment program is required to reimburse. The bill would make these provisions operative on July 1, 2014. This bill would also authorize alternative payment programs and providers and other contractors providing child care development services to maintain records in electronic format if the original documents were created in electronic format, including, but not limited to, child immunization records. (2) Existing law authorizes the Superintendent of Public Instruction to enter into and execute local contractual agreements with any public or private entity or agency for the delivery of child care and development services related to the delivery of child care and development services or the furnishing of property, facilities, personnel, supplies, equipment, and administrative services related to the delivery of child care development services. This bill would require the department, on and after the date on which the Superintendent determines that the Financial Information System for California has been implemented within the department, at the request of a contractor, to request the Controller to make payments via direct deposit by electronic funds transfer, as specified.

AB 290  
Alejo

*Child day care: childhood nutrition training*

Existing law, the California Child Day Care Act, requires that, as a condition of licensure and in addition to any other required training, at least one director or teacher at each day care center, and each family day care home licensee who provides care, have at least 15 hours of health and safety training, covering specified components, including preventive health practices courses.

Existing law requires the Emergency Medical Services Authority to establish minimum standards for that training. This bill would provide that, for licenses issued on or after January 1, 2016, a director or teacher who receives the health and safety training shall also have at least one hour of childhood nutrition training as part of the preventive health practices course or courses. The bill would require the childhood nutrition training to include content on age-appropriate meal patterns, as specified, and information about reimbursement rates for the federal Child and Adult Care Food Program (CACFP), and would direct child care providers to the CACFP Unit of the State Department of Education for detailed information on CACFP eligibility and enrollment. The bill would authorize the Emergency Medical Services Authority to establish standards for the childhood nutrition training through bulletin or similar instructions from the director until regulations are adopted.

AB 449      *Elementary and secondary education: certificated school employees: allegation of*  
Muratsuchi      *misconduct: reports to Commission on Teacher Credentialing*

Existing law establishes the Commission on Teacher Credentialing to, among other things, issue teaching and services credentials. Existing law requires the commission to appoint a Committee of Credentials and requires allegations of acts or omissions for which adverse action may be taken against applicants or holders of teaching or services credentials to be reported to the committee. Under existing law, the committee is authorized to commence an initial or formal review upon receipt of, among other things, a statement from an employer notifying the commission that an employee's employment status has changed in one of specified ways as a result of, or during the pendency of, an allegation of misconduct. Existing law makes it a misdemeanor, punishable by a fine of not more than \$100, for a principal, teacher, employee, or school officer of an elementary or secondary school to refuse or willfully neglect to make a report required by law. This bill would specify that a change in employment status due solely to unsatisfactory performance or a reduction in force is not a result of an allegation of misconduct for purposes of those provisions. The bill would require the superintendent of a school district or county office of education, or the administrator of a charter school, to report to the commission any change in the employment status of a credentialholder working in a position requiring a credential not later than 30 days after the credentialholder's employment status changes in one of specified ways as a result of an allegation of misconduct or while an allegation of misconduct is pending. The bill would make the failure to make the report unprofessional conduct, would subject the superintendent of the school district or county office of education, or the administrator of a charter school, to adverse action by the commission for failure to make the report, and would make the refusal or willful neglect to make the report a misdemeanor. By imposing additional duties on local agencies and by creating a new crime, this bill would impose a state-mandated local program.

AB 484      *Pupil assessments: Measurement of Academic Performance and Progress (MAPP)*  
Bonilla

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools and school districts, especially the academic performance of pupils. Existing law, the Leroy Greene California Assessment of Academic Achievement Act, requires the Superintendent to design and implement a statewide pupil assessment program, and requires school districts, charter schools, and county offices of education to administer to each of its pupils in grades 2 to 11, inclusive, certain achievement tests, including a standards-based achievement test pursuant to the Standardized Testing and Reporting (STAR) Program and the California Standards Tests. Existing law makes the Leroy Greene California Assessment of Academic Achievement Act inoperative on July 1, 2014, and repeals it on January 1, 2015. Existing federal law, the No Child Left Behind Act of 2001, contains provisions generally requiring states to adopt performance goals for their public elementary and secondary schools, and to demonstrate that these public schools are making adequate yearly progress, as measured by pupil performance on standardized tests as well as other measures, to satisfy those goals.

Existing law requires the Superintendent, with approval of the state board, to develop the California Standards Tests, to measure the degree to which pupils are achieving academically rigorous content standards and performance standards, as provided. Existing law, the Early Assessment Program, establishes a collaborative effort, headed by the California State University, to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school. This bill would, for the 2013-14 and 2014-15 school years, upon approval of the state board, authorize the Superintendent to not provide an API score to a school or school district due to a determination by the Superintendent that a transition to new standards-based assessments would compromise comparability of results across schools or school districts. The bill would extend the duration of the provisions of the Leroy Greene California Assessment of Academic Achievement Act by 6 years so that they would become inoperative on July 1, 2020, and be repealed on January 1, 2021. The bill would delete the provisions establishing the STAR Program, and instead establish the Measurement of Academic Performance and Progress (MAPP), commencing with the 2013-14 school year, for the assessment of certain elementary and secondary pupils. The bill would specify that the MAPP would be composed of: a consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11, as specified; science grade level assessments in grades 5, 8, and 10, measuring specified content standards; the California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, as specified; and the Early Assessment Program. The bill would specify numerous policies and procedures with respect to the development and the implementation of the MAPP by the Superintendent, the state board, and affected local educational agencies. This bill would, commencing with the 2014-15 school year and for purposes of the Early Assessment Program, authorize the replacement of the California Standards Test and the augmented California Standards Tests in English language arts and mathematics with the grade 11 consortium computer-adaptive assessments in English language arts and mathematics, as provided.

- AB 514  
Bonta *The Safe Schools for Safe Learning Act of 2013*  
Existing law establishes the Safe Place to Learn Act and, among other things, requires the Superintendent of Public Instruction to post on his or her Internet Web site a list of statewide resources that provide support to youth who have been subjected to school-based discrimination, harassment, or bullying, and their families. This bill, the Safe Schools for Safe Learning Act of 2013, would instead require the Superintendent to post that information on the State Department of Education's Internet Web site, and would also require the department's Internet Web site to include a list of statewide resources for youth who have been affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community. The bill would express various findings and declarations of the Legislature relating to school safety.
- AB 547  
Salas *21<sup>st</sup> Century High School After School Safety and Enrichment for Teens program*  
Existing law, the 21st Century High School After School Safety and Enrichment for Teens program, provides for the establishment of a high school after school program that consists of an academic assistance element and an enrichment element. Existing law specifies that the academic assistance element is required to include, but is not limited to: preparation for the high school exit examination, tutoring, homework assistance, or college preparation. This bill would add career exploration, as defined, to the list of possible activities that may satisfy the academic assistance element. The bill would make technical changes by updating cross-references and would make other nonsubstantive changes.
- AB 549  
Jones-  
Sawyer *Comprehensive school safety plans: mental health professionals and police role on campus guidelines*  
Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for its schools operating

kindergarten or any of grades 1 to 12, inclusive. Existing law requires the schoolsite council of a school to write and develop the comprehensive school safety plan relevant to the needs and resources of the particular school, except as specified with regard to a small school district. Existing law requires the comprehensive school safety plan to include specified strategies and programs that will provide or maintain a high level of school safety. Existing law encourages, as comprehensive school safety plans are reviewed and updated, all plans to include policies and procedures aimed at the prevention of bullying. This bill would also encourage that comprehensive school safety plans, as they are reviewed and updated, include clear guidelines, for the roles and responsibilities of certain parties with school-related health and safety responsibilities and would authorize the inclusion in these plans of primary strategies for specified purposes.

AB 595      *Community colleges: priority enrollment*

Gomez      Existing law, the Seymour-Campbell Student Success Act of 2012, defines “matriculation” as a process that brings a college and a student into an agreement for the purpose of achieving the student’s educational goals and completing the student’s course of study. The act specifies the responsibilities of students and institutions entering into the agreement, including, among others, a student’s responsibility to identify an academic and career goal, to declare a specific course of study, and to be diligent in class attendance and the completion of assigned coursework. This bill would state the intent of the Legislature that any student who receives priority registration for enrollment at an educational institution, to the extent that the institution provides specified matriculation services pursuant to the Seymour-Campbell Student Success Act of 2012, shall participate in those services. Existing law requires the California State University and each community college district, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority in that system for registration for enrollment to any member or former member of the Armed Forces of the United States and to a foster youth or former foster youth, as provided. This bill would require a community college district to grant priority registration for enrollment to students in the Community College Extended Opportunity Programs and Services program and to disabled students who are determined to be eligible for disabled student programs and services, as provided. The bill would make this provision inoperative on January 1, 2017.

AB 700      *Pupil instruction: voter education*

Gomez      Existing law establishes the Instructional Quality Commission, and requires the commission, among other duties, to ensure that specified historical documents are incorporated into the history-social science framework when it is revised. This bill would also require the commission, when the history-social science framework is revised, to ensure that voter education information is included in the American government and civics curriculum at the high school level, including, but not limited to, information on the importance of registering to vote in local, state, and federal elections, where and how to access and understand the voter information pamphlet and other materials to become an informed voter, and certain other information. The bill would provide that it shall not be construed as requiring the commission to meet specifically for purposes of implementing the changes made by the bill, and would require that any revisions to the history-social science framework made pursuant to the bill be implemented in accordance with the commission’s regular adoption schedule.

AB 899      *Academic content standards: English language development standards*

Weber      (1) Existing law requires each school district that has one or more pupils who are English learners and, to the extent required by federal law, each county office of education and each charter school to assess the English language development of each of those pupils upon initial enrollment in order to determine the level of proficiency of those pupils, and thereafter to assess each of those pupils annually until the pupil is redesignated as English proficient. Existing law requires the State Board of Education to approve standards for English language development



for pupils whose primary language is a language other than English. Existing law further requires that these standards be comparable in rigor and specificity to the standards for English language arts. This bill would additionally require these standards to be comparable in rigor and specificity to the standards for mathematics and science. (2) Provisions that were repealed on July 1, 2013, required the Superintendent of Public Instruction, in consultation with the state board, to update, revise, and align the English language development standards adopted pursuant to existing law to the state board-approved academic content standards for English language arts, as provided. This bill would require the Superintendent, on or before January 1, 2015, to recommend modifications to the English language development standards to link with the state board-approved academic content standards for mathematics and science for adoption by the state board. The bill would require the Superintendent, in consultation with the state board, to convene a group of experts in English language instruction, curriculum, and assessment, as provided, to meet those requirements and to review the mathematics and science academic content standards to identify those standards that correspond to the English language development standards. The bill would require the Superintendent to hold a minimum of 2 public meetings in order for the public to provide input regarding any modifications to the English language development standards. The bill would require the state board, on or before August 1, 2015, to adopt or reject the Superintendent's recommendations for the English language development standards to correspond with the state board-approved academic content standards for mathematics and science, as specified. The bill would require the state board to ensure that any modifications to the English language development standards adopted by the state board are incorporated into the appropriate mathematics and science curriculum frameworks. The bill would require that funding be provided in the annual Budget Act or another statute before these provisions could be implemented. The bill would make the above provisions inoperative on July 1, 2016, and would repeal them on January 1, 2017.

AB 1068 *Pupil records*

Bloom (1) Existing law prohibits a school district from permitting access to pupil records to any person without parental consent or without a judicial order, except to specified persons under certain circumstances, including to a pupil 16 years of age or older or who has completed grade 10. This bill would additionally permit access to a pupil who is 14 years of age or older if the pupil is both a homeless child or youth and an unaccompanied youth, as defined, and to an individual who has completed and signed a Caregiver's Authorization Affidavit for purposes of enrolling a minor in school. By imposing additional duties on school districts, the bill would impose a state-mandated local program. (2) Existing law authorizes school districts to release pupil directory information, as specified, and defines directory information as one or more prescribed items, including, among others, a pupil's name, address, telephone number, and date of birth. This bill would prohibit the release of directory information of a pupil identified as a homeless child or youth, as defined, unless a parent or eligible pupil has given written consent that such information may be released.

AB 1266 *Pupil rights: sex-segregated school programs and activities*

Ammiano Existing law prohibits public schools from discriminating on the basis of specified characteristics, including gender, gender identity, and gender expression, and specifies various statements of legislative intent and the policies of the state in that regard. Existing law requires that participation in a particular physical education activity or sport, if required of pupils of one sex, be available to pupils of each sex. This bill would require that a pupil be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.

SB 5 *Teacher credentialing*

Padilla Existing law establishes minimum requirements for the issuance of a preliminary multiple or

single subject teaching credential by the Commission on Teacher Credentialing. Among other requirements, existing law requires satisfactory completion of a program of professional preparation accredited by the Committee on Accreditation, but specifies that the program shall not include more than one year, or the equivalent of 1/5 of a 5-year program, of professional preparation. This bill would instead provide that a program of professional preparation shall not include more than 2 years of full-time study of professional preparation.

SB 97  
Committee  
on Budget  
and Fiscal  
Review

*School finance: local control funding formula*

(1) Existing law provides for the attendance of apprentices at high schools, unified school districts, regional occupational centers or programs, community colleges, and adult schools under vocational education program standards that are established with the participation of the State Department of Education, the Chancellor of the California Community Colleges, and the Division of Apprenticeship Standards of the Department of Industrial Relations. Existing law establishes standards for the provision of state funding and reimbursements for these programs at high schools, unified school districts, regional occupational centers or programs, and adult schools separate from these programs at community colleges. Existing law requires, by March 15, 2014, the Chancellor of the California Community Colleges and the Division of Apprenticeship Standards of the Department of Industrial Relations, with equal participation by specified entities, to develop common administrative practices and treatment for costs and services, as well as other policies related to apprenticeship programs. This bill would amend these provisions so that they refer to local educational agencies, as defined to mean a school district or county office of education, rather than to high schools, unified school districts, regional occupational centers or programs, and adult schools. The bill would change the deadline for the development of common administrative practices and treatment of costs and services by the Chancellor of the California Community Colleges and the Division of Apprenticeship Standards of the Department of Industrial Relations by one day to March 14, 2014. (2) Existing law establishes the Charter School Revolving Loan Fund, and authorizes loans to be made from the fund to qualifying charter schools. Existing law establishes the Charter School Security Fund, and authorizes deposits to be made from that fund into the Charter School Revolving Loan Fund in case of a default on a loan made from the latter fund. Existing law has transferred the responsibility for the administration of these funds from the State Department of Education to the California School Finance Authority commencing with the 2013-14 fiscal year. Existing law also establishes the Charter School Facility Grant Program under the administration of the authority. Existing law requires the authority to adopt emergency regulations to implement these provisions. This bill would authorize, rather than require, the California School Finance Authority to adopt any necessary rules and regulations for the implementation of these provisions. (3) Existing law requires the Controller to transfer from Section A of the State School Fund and the Education Protection Account the amount of funds necessary to pay certain warrants so that the effective cost of the lease financing provided to the Oakland Unified School District, the Vallejo City Unified School District, and the West Contra Costa Unified School District is equal to the cost of the original General Fund emergency loan made to each school district. Existing law also specifies the original interest rate to be used in determining the cost of the original emergency loan made for these school districts. This bill would require the Controller, for the 2013-14 to 2029-30 fiscal years, inclusive, to make that transfer with respect to the lease financing provided to the South Monterey County Joint Union High School District pursuant to a specified 2009 statute. The bill would specify the original interest rate to be used in determining the cost of the original emergency loan for the South Monterey County Joint Union High School District as equal to the annual rate of return of the Pooled Money Investment Account for the applicable fiscal year, plus an additional 2%. The bill would require this rate to also apply to any disbursements of the loan pursuant to the 2009 statute that are subsequent to September 15, 2013. The bill would make legislative findings and declarations as to the necessity of a special statute for the South Monterey County Joint Union High School District. (4) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools

to be calculated pursuant to a local control funding formula, as specified. Existing law requires, as part of the local control funding formula calculation, the calculation of an annual local control funding formula transition adjustment that is calculated on the basis of moneys appropriated in the Budget Act of 2012 for specified programs, including, among others, regional occupational centers and programs. Existing law, for the 2013-14 and 2014-15 fiscal years only, requires a county superintendent of schools and a school district that, in the 2012-13 fiscal year, received funds on behalf of, or provided funds to, a regional occupational center or program joint powers agency, to not redirect that funding for another purpose, except as specified. Existing law also requires, for the 2013-14 and 2014-15 fiscal years only, a county superintendent of schools and a school district, respectively, to spend no less for regional occupational centers and programs than the amount of funds the county superintendent and school district expended in the 2012-13 fiscal year. This bill would, for the 2013-14 and 2014-15 fiscal years, require the Superintendent of Public Instruction to apportion to a regional occupational center or program joint powers agency the same amount that agency received in the 2012-13 fiscal year from specified funding sources. The bill would authorize a county office of education and school district to include expenditures made by the county office of education and the school districts within the county for purposes of regional occupational centers or programs so long as the total amount of expenditures made by the county office of education and school districts within the county equals or exceeds the total amount required to be expended for regional occupational centers or programs pursuant to specified provisions. The bill would, for the 2013-14 and 2014-15 fiscal years, require the Superintendent to reduce the amount of the Budget Act of 2012 entitlement for regional occupational centers and programs used in the computation of the local control funding formula transition adjustment for the Torrance Unified School District by \$3,473,574 and would require the Torrance Unified School District to continue to allocate \$3,473,574 for purposes of a regional occupational center or program joint powers agency. The bill would also make numerous technical and substantive changes to provisions related to the local control funding formula. (5) Existing law requires a county board of education and a governing board of a school district to annually adopt a budget, as specified, and requires the Superintendent to approve the budget adopted by the county board of education and the county superintendent of schools to approve the budget adopted by the governing board of a school district. Existing law requires the budgets to not be adopted if they do not include the expenditures identified in a local control and accountability plan or an annual update to the local control and accountability plan that will be effective in the subsequent fiscal year. Existing law also requires, if a budget is disapproved, the formation of a budget review committee, as specified. This bill would, commencing with the 2014-15 fiscal year, require that a budget review committee not be formed if the sole reason for a budget not being approved is the lack of an approved local control and accountability plan or an annual update. (6) Existing law requires a county superintendent of schools and a school district to expend no less for home-to-school transportation programs than the amount of funds the county superintendent of schools and school district, respectively, expended for home-to-school transportation in the 2012-13 fiscal year. This bill would, for the 2013-14 and 2014-15 fiscal years, if a home-to-school transportation joint powers agency received, in the 2012-13 fiscal year, an apportionment of funds directly from the Superintendent for any of specified funding sources, require the Superintendent to apportion the same amount to the home-to-school transportation joint powers agency. (7) Existing law, as part of the local control funding formula, requires a county superintendent of schools, school district, and charter school to annually report the enrollment of unduplicated pupils, defined as pupils classified as English learners, pupils eligible for free and reduced-price meals, and foster youth, to the Superintendent. This bill would require the Superintendent to establish procedures and timeframes for the annual reporting of this information. (8) Existing law, commencing with the 2013-14 fiscal year, requires the Superintendent to increase certain funding amounts related to necessary small schools by an amount proportionate to the increase in the statewide average local control funding formula allocations for the then current fiscal year. This bill, commencing with the 2013-14 fiscal year, would instead require the Superintendent to increase the funding amount related to necessary small schools by the percentage change in the annual average value

of a certain deflator, as specified. (9) Existing law requires the State Department of Education and the State Department of Social Services to enter into a memorandum of understanding that requires the State Department of Social Services, at least once per week, to share information related to foster youth with the State Department of Education. This bill would require the State Department of Education and the State Department of Social Services to enter into the memorandum of understanding on or before February 1, 2014. (10) Existing law requires a school district and a county superintendent of schools to adopt a local control accountability plan using a template adopted by the State Board of Education. Existing law requires the local control and accountability plan to include a description of the annual goals to be achieved for each of certain state priorities and the specific actions that will be taken to achieve the annual goals. Existing law requires the governing board of a school district and the county superintendent of schools to consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan. Existing law requires the county superintendent of schools to approve a local control and accountability plan or annual update to a local control and accountability plan adopted by the governing board of a school district, and requires the Superintendent of Public Instruction to approve a local control and accountability plan or annual update to a local control and accountability plan adopted by the county board of education, if specified determinations are made. Existing law establishes the California Collaborative for Educational Excellence for the purpose of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan and requires the Superintendent, with the approval of the state board, to contract with individuals, local educational agencies, or organizations with the expertise, experience, and record of success to carry out the purposes of local control accountability plans. This bill would require the local control and accountability plan to also include a listing and description of the expenditures for the fiscal year implementing the specific actions and the expenditures for the fiscal year that will serve unduplicated pupils, as defined, and pupils redesignated as fluent English proficient. The bill would require the governing board of a school district and county superintendent of schools to also consult with their local bargaining units in developing the local control and accountability plan. The bill would require the county superintendent of schools and the Superintendent, in approving a local control and accountability plan or annual update to a local control and accountability plan approved by the governing board of a school district or county board of education, respectively, to also determine if the local control and accountability plan or annual update adheres to specified expenditure requirements relating to unduplicated pupils. The bill would require the Superintendent to contract with a local educational agency, or consortium of local educational agencies, to serve as the fiscal agent for the California Collaborative for Educational Excellence and would establish a governing board for the collaborative consisting of 5 members, as specified. The bill would, at the direction of the governing board of the collaborative, require the fiscal agent for the collaborative to contract with individuals, local educational agencies, or organizations with the expertise, experience, and record of success to carry out the purposes of local control and accountability plans. (11) Existing law provides for the calculation of apportionments to fund the provision of special education instruction and services for pupils who qualify for these programs. This bill would require that a specified appropriation in the Budget Act of 2013 be included in the calculation of the statewide target amount per unit of average daily attendance used to determine adjustments to special education apportionments for the 2013-14 fiscal year. (12) Existing law establishes the Student Aid Commission as the primary state agency for administering of state-authorized student financial aid programs available to students attending all segments of postsecondary education. Existing law establishes the Middle Class Scholarship Program under the administration of the Student Aid Commission. The program provides that, subject to an available and sufficient appropriation, commencing with the 2014-15 academic year, undergraduate students enrolled at the University of California or the California State University shall receive a scholarship award that, combined with other publicly funded student financial aid, is up to 40% of the amount charged to that student for mandatory systemwide tuition in that fiscal year if the student meets

the following conditions: has an annual household income that does not exceed \$150,000; satisfies specified requirements for a Cal Grant award; is a resident of this state or exempt from paying nonresident tuition; files specified financial aid forms; makes timely application or applications for publicly funded student financial aid, as defined, for which he or she is eligible; and maintains at least a 2.0 grade point average. The program requires, in order for students enrolled in their respective segments to remain eligible to receive financial aid under the bill, that the University of California and the California State University maintain their respective institutional need-based grant program policies and maintain their funding amounts at a level that, at a minimum, is equal to the level maintained during the 2013-14 academic year. This bill would provide that the scholarship award under the Middle Class Scholarship, combined with other publicly funded student financial aid, would be for up to 40% of the mandatory systemwide tuition and fees, rather than up to 40% of the mandatory systemwide tuition, charged to an eligible student in a fiscal year. The bill would require that an eligible student maintain satisfactory academic progress, rather than a 2.0 grade point average, to receive a scholarship award under the program. The bill would also require the University of California and the California State University to not supplant their respective institutional need-based grants with funds provided for scholarships under the program, rather than maintain their respective need-based grant program policies, as specified. (13) Existing law requires the Controller to draw warrants on the State Treasury in each month of the year for the purpose of funding school districts, county superintendents of schools, and community college districts. Existing law defers the drawing of specified warrants until later dates. With respect to community colleges, existing law appropriates \$591,233,000 from the General Fund to the Board of Governors of the California Community Colleges, for expenditure during the 2014-15 fiscal year, in satisfaction of specified moneys whose payment to the California Community Colleges has been deferred. This bill would decrease the amount of apportionment to the California Community Colleges to be deferred from the month of February to the month of July from \$55,233,000 to \$52,456,000. The bill would also increase the amount of the appropriation from the General Fund to the Board of Governors of the California Community Colleges, for expenditure during the 2014-15 fiscal year, in satisfaction of specified deferred amounts from \$591,233,000 to \$592,456,000. (14) Existing law, commencing with the 2012-13 fiscal year, requires certain funds appropriated in the annual Budget Act for reimbursement of the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, charter schools, county offices of education, and community college districts, to support specified state-mandated local programs. Existing law provides that a school district, charter school, county office of education, or community college district that submits a letter of intent to the Superintendent of Public Instruction or the Chancellor of the California Community Colleges, as appropriate, and receives this block grant funding is not eligible to submit a claim for reimbursement for those specified mandated programs for the fiscal year for which the block grant funding is received. This bill, with respect to community colleges, would add the collective bargaining agreement disclosure mandate to the list of specified state-mandated local programs that are subject to these provisions that authorize block grant funding in lieu of program-specific reimbursement. (15) The California Clean Energy Jobs Act, an initiative approved by the voters as Proposition 39 at the November 6, 2012, statewide general election, made changes to corporate income taxes and, except as specified, provides for the transfer of \$550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund, or the Job Creation Fund, for 5 fiscal years beginning with the 2013-14 fiscal year. Moneys in the Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California improving energy efficiency and expanding clean energy generation. Existing law provides for the allocation of available funds to public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development and public-private partnerships for eligible projects, as specified. Existing law establishes prescribed criteria that apply to all expenditures from the Job Creation Fund. This bill would make various revisions in the provisions of the act relating to the allocation of Job

Creation Fund moneys to schools, including specifying the calculation of average daily attendance for state special schools for these purposes, and clarifying the scope of an authorization for smaller local educational agencies to elect to receive 2 years of this funding at once. (16) Existing law authorizes the Inglewood Unified School District, through the State Department of Education, to request cashflow loans from the General Fund for a total of \$55,000,000. This bill would require that the terms and conditions of the General Fund cashflow loan to include authorization for the payment of costs incurred before June 15, 2013, by the California Infrastructure and Economic Development Bank to implement a specified provision. The bill would make legislative findings and declarations as to the necessity of a special statute for the Inglewood Unified School District. (17) Existing law, the Budget Act of 2013, appropriates \$35,488,000 from the General Fund to the State Department of Education for support of various activities of the department. This bill would appropriate an additional \$3,164,000 for the support of the Career Technical Education Pathways Trust one-time grant program, Local Control Accountability Plan state-level activities, and Local Control Funding Formula administration, as specified. (18) Existing law, the Budget Act of 2013, appropriates \$250,000,000 from the General Fund to the State Department of Education for one-time grants for the Career Technical Education Pathways Grant Program, as specified. This bill would, on a one-time basis, appropriate \$250,000 of the \$250,000,000 for an independent evaluation of the Career Technical Education Pathways Grant Program, and would require the department to allocate this funding to a local educational agency that the department has identified to contract for the evaluation. (19) This bill would, on or before June 30, 2014, authorize the Board of Governors of the California Community Colleges to increase certain General Fund apportionment allocations, in an amount to be determined by the Director of Finance, to the extent that revenues distributed to local community colleges pursuant to provisions related to redevelopment agencies are less than the amount estimated in the Budget Act of 2012, as specified. The bill would require the Director of Finance to notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of his or her intent to increase the total allocations and the amount needed to address the shortfall described above. (20) This bill would, on or before December 31, 2013, appropriate, in an amount to be determined by the Director of Finance, up to \$100,000,000 from the General Fund to the Board of Governors of the California Community Colleges, as specified, to the extent that revenues distributed to local community colleges pursuant to provisions related to redevelopment agencies are less than the amount estimated in the Budget Act of 2012, as specified. The bill would, on or before December 31, 2013, require the Director of Finance to reduce, as specified, an existing appropriation from the General Fund to the Board of Governors of the California Community Colleges if the revenues distributed to local community colleges pursuant to provisions related to redevelopment agencies exceed the amount estimated in the Budget Act of 2012. The bill would require the Director of Finance to notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of his or her intent to notify the Controller of the necessity to increase or decrease the total allocations and of the amount needed to address the shortfall or surplus described above. (21) This bill would make conforming changes, correct cross-references, and make other nonsubstantive changes. (22) This bill would incorporate additional changes in Sections 42127, 52060, 52061, 52064, and 52066 of the Education Code proposed by SB 344, to be operative only if SB 344 and this bill are both enacted and become effective on or before January 1, 2014, to the extent each bill amends Sections 42127, 52060, 52061, 52064, and 52066 of the Education Code, and this bill is enacted after SB 344. (23) Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution, as specified. (24) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 177 *Homeless Youth Education Success Act*

Liu Existing law states the intent of the Legislature to ensure that all pupils in foster care and those who are homeless, as defined, have a meaningful opportunity to meet state pupil academic

achievement standards, and requires educators, juvenile courts, and certain other persons to work together to, among other things, ensure that each pupil has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils. Existing law requires a foster child who changes residences pursuant to a court order or decision of a child welfare worker to be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. This bill would require a homeless child or youth, as defined, to also be immediately deemed to meet those residency requirements. The bill would require public schools and county offices of education to immediately enroll a homeless child or youth seeking enrollment, except as provided, thereby imposing a state-mandated local program. The bill would require the State Department of Education and the State Department of Social Services to identify representatives from their respective agencies and from other state agencies that have experience in homeless youth issues to develop policies and practices relating to homeless children and youths, as defined. The bill would require the selected representatives to present the policies and practices to the Superintendent of Public Instruction and the State Department of Social Services to be considered for implementation or dissemination, as appropriate. The bill would require a local educational agency liaison for homeless children and youths designated pursuant to federal law to ensure that public notice of the educational rights of homeless children and youths, as defined, is disseminated in schools within the liaison's local educational agency that provide services pursuant to specified federal law. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

SB 195  
Liu

*California postsecondary education: state goals*

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and independent institutions of higher education as the 4 segments of postsecondary education in this state. Existing law states the intent of the Legislature to urge the continued development and implementation of assessment processes whereby institutions of higher education establish mechanisms, through program review and improvement, for the assessment of their performance in attempting to improve student learning and comprehension and achieving the expressed state policy goals for higher education of quality, educational equity, employee diversity, student transfer, and student retention. This bill would state the intent of the Legislature that budget and policy decisions regarding postsecondary education generally adhere to 3 specified goals and that appropriate metrics be identified, defined, and formally adopted to monitor progress toward the achievement of the goals, as specified.

SB 201  
Liu

*Instructional materials: academic content standards: English learners*

(1) Existing law requires the Superintendent of Public Instruction to review existing tests that assess the English language development of pupils whose primary language is a language other than English, and requires that the tests include, but not be limited to, an assessment of the achievement of these pupils in English reading, speaking, and written skills, in accordance with specified criteria. Existing law requires each school district that has one or more pupils who are English learners, and, to the extent required by federal law, a county office of education and a charter school, to assess the English language development of each of those pupils in order to determine their level of proficiency. Existing law requires the State Department of Education, with the approval of the State Board of Education, to establish procedures for conducting the assessment and for the reclassification of a pupil from English learner to English proficient. Existing law requires a school district to annually conduct the assessment during a period that

commences on the day upon which 55% of the instructional year is completed through July 1 of that calendar year. This bill would apply the above requirements to initial and summative assessments and make conforming changes. The bill would require the Superintendent to determine which assessments, if any, meet specified requirements, and would require the assessments to be used for certain purposes. The bill would require the state board to approve assessment blueprints, assessment performance descriptors, and performance-level cut scores based on standard settings. The bill would require the Superintendent to report to the appropriate policy committees of the Legislature when the assessments are ready for their initial administration. The bill would make the above-described provisions of existing law inoperative when the Superintendent makes this report, and would repeal those provisions the following January 1. The bill, after the Superintendent reports to the appropriate policy committees of the Legislature, would require the summative assessment to be conducted annually during a 4-month period after January 1 determined by the Superintendent with the approval of the state board and the assessment for initial identification to be conducted upon the initial enrollment of a pupil. (2) Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, for governing boards, as specified. Existing law also requires the state board to adopt and approve academic content standards for language arts and for English language development for pupils whose primary language is a language other than English. This bill would authorize the state board to adopt basic instructional materials for kindergarten and grades 1 to 8, inclusive, that are aligned to those standards for language arts and English language development by no later than November 30, 2015. The bill would, among other things, require the State Department of Education, before conducting an adoption of basic instructional materials for language arts and English language development, to provide notice, as specified, to all publishers or manufacturers that each publisher or manufacturer is required to pay a fee, as specified, to offset the cost of conducting the adoption process.

SB 247  
Liu

*Pupil assessment: grade 2 diagnostic assessments*

Existing law, the Leroy Greene California Assessment of Academic Achievement Act, requires the Superintendent of Public Instruction to design and implement a statewide pupil assessment program that includes numerous elements, including, among other things, a plan for producing valid, reliable, and comparable individual pupil scores in grades 2 to 11, inclusive. The act also requires school districts, charter schools, and county offices of education to administer to each of its pupils in grades 2 to 11, inclusive, certain achievement tests, including a standards-based achievement test pursuant to the Standardized Testing and Reporting (STAR) Program. Existing law makes all provisions of the act inoperative on July 1, 2014. Assembly Bill 484 of the 2013-14 Regular Session, if enacted, would, among other things, suspend the STAR Program achievement test for pupils in grade 2 commencing with the 2013-14 school year. This bill would require the State Department of Education, by November 1, 2014, to identify and make available to school districts information regarding existing assessments in language arts and mathematics aligned to the adopted common core academic content standards for pupils in grade 2 for diagnostic use by classroom teachers. The bill would require the savings realized from the elimination of the grade 2 standards-based achievement testing to be used by local educational agencies to administer the identified assessments. The bill would require the department to ensure that the selected grade 2 diagnostic assessments are valid for purposes of identifying particular knowledge or skills a pupil has or has not acquired, but the assessments would not be valid measures for purposes of pupil, personnel, or local educational agency accountability.

SB 300  
Hancock

*Instructional materials: revised curriculum frameworks: science and English language arts*

Existing law prohibits the State Board of Education from adopting instructional materials until the 2015-16 school year, except for requiring the state board to adopt, among other things, revised curriculum frameworks and evaluation criteria for English language arts that are aligned



to certain adopted content standards no later than May 30, 2014. This bill would require the state board to consider the adoption of a revised curriculum framework and evaluation criteria for instructional materials in science on or before January 31, 2016, and would require the revised curriculum framework to be based on specified science content standards and to include English language development strategies, as specified, and strategies to address the needs of pupils with disabilities. The bill would also extend the deadline for the state board to adopt revised curriculum frameworks and evaluation criteria for English language arts until July 30, 2014.

SB 330  
Padilla

*Pupil instruction: health framework: mental health instruction*

Existing law requires the State Department of Education to prepare and distribute to school districts guidelines for the preparation of comprehensive health education plans, and requires approval of district plans to be made in accordance with rules and regulations adopted by the State Board of Education. Existing law also establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the state board. This bill would require, during the next revision of the publication “Health Framework for California Public Schools,” the commission to consider developing, and recommending for adoption by the state board, a distinct category on mental health instruction, as described, to educate pupils about all aspects of mental health. The bill would require the commission to ensure that one or more experts in the mental health and educational fields provides input in the development of the mental health instruction in the health framework, as provided.

SB 379  
Hancock

*School attendance: early and middle college high schools*

(1) Under existing law, the Legislature finds and declares that middle college high schools have proven to be a highly effective collaborative effort between local school districts and community colleges. This bill would provide that the Legislature finds and declares that early college high schools are innovative partnerships between charter or noncharter public secondary schools and a local community college, the California State University, or the University of California that allow pupils to earn a high school diploma and up to 2 years of college credit in 4 years or less. (2) Existing law provides that a day of attendance for a pupil enrolled in grades 11 and 12 at an early college high school or middle college high school is 180 minutes of attendance if the pupil is also enrolled in a community college, classes of the California State University, or classes of the University of California, as specified. Existing law, the Charter Schools Act of 1992, requires, as a condition of apportionment, among other things, a charter school to offer 64,800 minutes of instruction in a fiscal year for pupils in grades 9 to 12, inclusive, and, for classroom-based instruction, as defined, to have at least 80% of the instructional time offered to be at the schoolsite. This bill would require a charter school that operates as an early college high school or middle college high school, for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, to offer at least 80% of the instructional time at the charter school schoolsite, and to require a pupil enrolled in grade 11 or 12 who is also enrolled in courses of the California State University, or courses of the University of California, as specified, or a pupil enrolled who is also enrolled as a special part-time student in a community college, as specified, to attend the charter school for a minimum of 50% of the minimum number of minutes of instruction the charter school is required to offer in a fiscal year. The bill would require a pupil enrolled in a charter school that operates as an early college high school or middle college high school who is not enrolled in courses of the California State University or the University of California, or who is not a special part-time student in a community college, to attend the charter school for a minimum of 67% of the minimum number of minutes of instruction the charter school is required to offer in a fiscal year. The bill would subject these requirements to annual audits, as specified.

SB 440  
Padilla

*Public postsecondary education: Student Transfer Achievement Reform Act*

(1) Existing law establishes the California Community Colleges and the California State

University as 2 of the segments of public postsecondary education in this state. Existing law, the Student Transfer Achievement Reform Act, encourages community colleges to facilitate the acceptance of credits earned at other community colleges toward the associate degree for transfer. The act also requires the California State University to guarantee admission with junior status to a community college student who meets the requirements for the associate degree for transfer, and provides that admission to the California State University under these provisions does not guarantee admission for specific majors or campuses. A student admitted to the California State University pursuant to the act is entitled to receive priority over all other community college transfer students, excluding community college students who have entered into a transfer agreement between a community college and the California State University prior to the fall term of the 2012-13 academic year. This bill would express findings and declarations of the Legislature relating to timely progression from lower division coursework to degree completion. The bill would require community colleges to create an associate degree for transfer in every major and area of emphasis offered by that college for any approved transfer model curriculum, as prescribed, thereby imposing a state-mandated local program. The bill would require California State University campuses to accept transfer model curriculum-aligned associate degrees for transfer in every major and concentration offered by that California State University, as specified. This bill would provide that the guarantee of admission for those community college students described above includes admission to a program or major and concentration that is either similar to the student's community college transfer model curriculum-aligned associate degree for transfer or may be completed with 60 semester units of study beyond that degree for transfer, the determinations to be made by the campus to which the student is admitted. The bill would require the California State University to develop an admissions redirection process for students admitted pursuant to the Student Transfer Achievement Reform Act who apply for admission to the California State University, but are not accepted into the campuses specifically applied to. The bill would require the California Community Colleges and the California State University, in consultation with specified parties, to develop a student-centered communication and marketing strategy in order to increase the visibility of the associate degree for transfer pathway for all students in California.

**SB 490**      *Early Assessment Program: common core academic content standards*  
**Jackson**      Existing law establishes the California Community Colleges and the California State University as 2 of the 3 segments of public postsecondary education in the state. Existing law recognizes the establishment of the Early Assessment Program (EAP) at the California State University to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school. Existing law states the intent of the Legislature that the EAP be expanded to include the California Community Colleges. Existing law encourages community college districts participating in the EAP to consult with the Academic Senate for the California Community Colleges to work toward sequencing their precollegiate level courses and transfer-level courses in English and mathematics to the elementary and secondary education academic content standards adopted pursuant to specified law. This bill would instead encourage those courses to be sequenced to the common core academic content standards for language arts and mathematics.

**SB 552**      *Pupil instruction: violence awareness*  
**Calderon**      Existing law requires the adopted course of study for grades 1 to 6, inclusive, to include instruction in specified areas of study and requires the adopted course of study for grades 7 to 12, inclusive, to offer courses in specified areas of instruction. This bill would allow all required areas of study specified for those grades, as deemed appropriate by the governing board, to include grade-level appropriate instruction on violence awareness and prevention, including personal testimony in the form of oral or video histories. The bill would specify that it is the intent of the Legislature that the measure be carried out in a manner that does not result in new duties or programs being imposed on a school district.

- SB 584  
Wyland      *School facilities: financial and performance audits*  
Existing law requires the Controller, in consultation with the Department of Finance, the State Department of Education, and representatives of certain nongovernmental organizations, to recommend the statements and other information to be included in the audit reports filed with the state, and to propose the content of an audit guide that is required to be submitted by the Controller to the Education Audits Appeal Panel for review and possible amendment. This bill would require the Controller, on or before January 1, 2015, and in consultation with the State Allocation Board, the Department of Finance, and the State Department of Education, to submit content to the Education Audits Appeal Panel to be included in the audit guide, Standards and Procedures for Audits of California K-12 Local Educational Agencies beginning in the 2015-16 fiscal year, that is related to financial and performance audits required for specified school facility projects.
- SB 590  
De Leon      *School personnel: professional development for classified school employees*  
Existing law authorizes the governing board of any school district to grant any classified employee a leave of absence not to exceed one year, as provided, for the purpose of permitting study by the employee or for the purpose of retraining the employee to meet changing conditions within the district. Existing law authorizes the governing board of a school district to grant reimbursement of the costs, including tuition fees, to a permanent classified employee who satisfactorily completes approved training to improve his or her job knowledge, ability, or skill. This bill would require a local educational agency, if it expends funds for professional development for any schoolsite staff, to consider the needs of its classified school employees, as defined, to update their skills and to learn best practices in various optional areas, including, among others, pupil learning and achievement, pupil and campus safety, and special education.
- SB 595  
Calderon      *Postsecondary education: financial aid*  
Under existing law the Legislature declares that student assistance programs have the primary purpose of providing equal opportunity and access to postsecondary education for specified groups of students and that student aid programs should assist students to progress through the educational program in accordance with the individual's educational objectives. This bill would require each campus of the California Community Colleges and the California State University and, as to the University of California, request each campus of the University of California, to not enter into a contract with any entity, whether a specific depository institution or an entity that partners with one or more depository institutions, on or after January 1, 2014, that requires a student to open an account with that entity as a condition of the student receiving his or her financial aid disbursement. The bill would also require each campus of the California Community Colleges and the California State University, or, as to the University of California, request each campus of the University of California, to offer a student the option of receiving his or her financial aid disbursement via direct deposit into an account at a depository institution of the student's choosing, and ensure that its contract or contracts for financial aid disbursement entered into on or after January 1, 2014, provide that the contracting entity shall initiate the direct deposit within one business day of receipt of the financial aid disbursement moneys from each campus of the California Community Colleges, the California State University, or the University of California, as applicable. By requiring each campus of the California Community Colleges to offer this option to students, the bill would impose a state-mandated local program.

**Housing****AB 532**      *Local Housing Trust Fund*

**Gordon** Existing law establishes the Local Housing Trust Fund Matching Grant Program for the purpose of supporting local housing trust funds dedicated to the creation or preservation of affordable housing. Existing law requires the Department of Housing and Community Development to make available the amount of \$35,000,000 for the Local Housing Trust Fund Matching Grant Program, from the continuously appropriated Housing and Emergency Shelter Trust Fund of 2006. Under the grant program, the department is authorized to make matching grants available to cities, counties, cities and counties, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds. The minimum allocation to a program applicant is \$1,000,000 for existing trust funds, or \$500,000 for newly established housing trust funds. The maximum allocation for any applicant is \$2,000,000. Under existing law, all funds provided under the grant program are to be matched on a dollar-for-dollar basis with moneys that are not required by any state or federal law to be spent on housing. This bill would revise the law applicable to the above grant program, including (1) reducing the maximum allocation to \$1,000,000 per notice of funding availability for a trust that has previously received a grant through the program, (2) revising funding priorities for certain types of local housing trust funds, and (3) revising requirements relative to deed restrictions and equity sharing agreements applicable to for-sale housing projects or units within for-sale housing projects. Under existing law, an applicant is required to continue funding the local housing trust fund from identified local sources, and continue the trust in operation for a period of no less than 5 years from the date of award. This bill would extend any award to a local housing trust that was under contract on January 1, 2013, by 12 months. Existing law requires 50% of the funds allocated to the Local Housing Trust Fund Matching Grant Program to be made available exclusively for newly established housing trust funds. Existing law requires funds set aside for newly established housing trust funds to be available for encumbrance for 42 months and, after that time, to revert to another specified housing fund. This bill would remove the above restrictions, making the funds continuously available for purposes of the program and not reverting to another fund, thus making an appropriation. The bill also would authorize funding for a housing trust fund that had previously received a grant under the program. Under existing law, the department awards funds under the grant program through the issuance of a Notice of Funding Availability (NOFA), as specified. This bill would require the department to issue a new NOFA for new trusts, as defined, by June 30, 2014. This bill would declare that it is to take effect immediately as an urgency statute.

**AB 637**      *Housing assistance*

**Atkins** Existing law requires the California Housing Finance Agency to administer the California Homebuyer's Downpayment Assistance Program for the purpose of assisting first-time low- and moderate-income home buyers utilizing existing mortgage financing. Existing law allows the agency to use not more than \$75,000,000 of the funds available pursuant to that program to finance the acquisition of land and the construction and development of for-sale residential structures through short-term loans, as specified. This bill would additionally authorize the agency to use not more than \$75,000,000 of those funds to finance the construction and development of housing developments, as defined.

**AB 952**      *Low-income housing tax credits*

**Atkins** Existing law establishes a low-income housing tax credit program, administered by the California Tax Credit Allocation Committee, which provides procedures and requirements for the allocation of state tax credit amounts among low-income housing projects based on federal law, as modified. Existing law, among other things, allows the credit based on the applicable percentage, as defined. Existing insurance taxation law prohibits a credit from being allocated under this law to buildings located in a difficult development area or a qualified census tract, as

defined, for which the eligible basis of a new building or the rehabilitation expenditure of an existing building is 130% of a specified amount, unless the committee reduces the amount of federal credit, with the approval of the applicant, so that the combined amount of federal and state credit does not exceed the total credit allowable pursuant to this section and the Internal Revenue Code. The Personal Income Tax Law and the Corporation Tax Law allow a credit for buildings located in designated difficult development areas or qualified census tracts, as defined, allocated in specified amounts, provided that the amount of credit allocated under the Section 42 of the Internal Revenue Code is computed on 100% of the qualified basis of the building. This bill would, under the insurance taxation law, allow a credit for buildings located in designated difficult development areas or qualified census tracts allocated in the specified amounts, provided that the amount of credit allocated under Section 42 of the Internal Revenue Code is computed on 100% of the qualified basis of the building. This bill would, under the insurance taxation law, the Personal Income Tax Law, and the Corporation Tax Law, authorize the California Tax Credit Allocation Committee to allocate a credit for buildings located in designated difficult development areas or qualified census tracts that are restricted to having 50% of its occupants be special needs households, as defined, even if the taxpayer receives specified federal credits, if the credit allowed under this section does not exceed 30% of the eligible basis of that building. This bill would, for purposes of all 3 laws, allow the California Tax Credit Allocation Committee to exchange federal low-income housing credits for state low-income housing credits, as specified. This bill would take effect immediately as a tax levy.

AB 984  
Chau

*The California Housing Finance Agency*

Existing law provides that there is the California Housing Finance Agency in the Department of Housing and Community Development administered by an 11-member board of directors that includes various state officers and 6 members appointed by the Governor. This bill would add the Secretary of Veterans Affairs to the board. The bill would also increase the number of members appointed by the Governor to 7 and require that at least one member appointed by the Governor have specific knowledge of bonds and related financial instruments, interest rate swaps, and risk management. The bill would specify, notwithstanding other provisions of the bill, that these provisions relating to the membership of the board would not become effective until January 1, 2014. Existing law authorizes the agency, among other things, to make or undertake commitments to make development loans, construction loans, mortgage loans, and property improvement loans to housing sponsors to finance housing developments, as specified. This bill would authorize the agency to make grants to buyers of residential structures combined with first mortgage loans financed by the agency to be used in conjunction with the Federal Housing Administration (FHA) Energy Efficient Mortgage Program, for the purpose of making repairs or improvements to increase energy efficiency in the home, as specified. Existing law provides that the agency shall not, except as provided, make construction loans or mortgage loans for the purpose of financing owner-occupied residential structures unless those loans are made through a qualified mortgage lender. This bill would instead provide that the agency shall not make construction loans or first mortgage loans, except as provided, as specified above. Existing law requires the agency to administer the California Homebuyer's Downpayment Assistance Program for the purpose of providing downpayment assistance to first-time low- and moderate-income home buyers. Existing law requires that the amount of the downpayment assistance shall be due and payable at the end of the term, or upon sale of or refinancing of the home, except that the agency may, in its discretion, permit the downpayment assistance to be subordinated to refinancing, as specified. This bill would also provide that the downpayment assistance shall not be due and payable upon sale of the home if the first mortgage loan is insured by the FHA, transferred to the FHA, or the requirement is otherwise contrary to federal regulations, as specified. This bill would incorporate additional changes to Section 51504 of the Health and Safety Code made by this bill and AB 637, to take effect if both bills are chaptered and this bill is chaptered last. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1109 Bonilla	<p><i>Emergency housing and assistance</i></p> <p>Existing law requires the Department of Housing and Community Development to administer the Emergency Housing and Assistance Program. Under the program, moneys from the continuously appropriated Emergency Housing and Assistance Fund are available for the purposes of providing shelter, as specified, to homeless persons at as low a cost and as quickly as possible, without compromising the health and safety of shelter occupants, to encourage the move of homeless persons from shelters to a self-supporting environment as soon as possible, to encourage provision of services for as many persons at risk of homelessness as possible, to encourage compatible and effective funding of homeless services, and to encourage coordination among public agencies that fund or provide services to homeless individuals, as well as agencies that discharge people from their institutions. Existing law requires the department to distribute funds appropriated for activities providing for capital development programs, including acquisition, leasing, construction, and rehabilitation of sites for emergency shelter and transitional housing for homeless persons, as grants in the form of forgivable deferred loans, as prescribed. Existing law requires the department to terminate the grant and require the repayment of the deferred loan in full, if a transfer or conveyance of the project property that results in the property no longer being used as an emergency shelter or transitional housing occurs before the term of the loan expires. This bill would provide that when property is transitioned from an emergency shelter or transitional housing to permanent supportive housing and serves people who are homeless or at risk of homelessness, an existing loan may be deferred and forgiven, as if the property had remained an emergency shelter or transitional housing. Prior to a transition, the bill would require a project to obtain department approval to transition and would require the department to consider specified factors in determining whether to approve a transition. The bill would require a project transitioned to permanent supportive housing to have a loan term of 20 years. The bill would require the department to terminate the loan and would require repayment of the deferred loan in full if the project property is no longer used as permanent supportive housing for people who are homeless or at risk of homelessness. By authorizing the use of continuously appropriated funds for a new purpose, this bill would make an appropriation.</p>
SB 310 Calderon	<p><i>Mortgages: foreclosures notices: title companies</i></p> <p>Existing law requires a mortgage servicer, mortgagee, trustee, beneficiary, or authorized agent to, among other things, contact the borrower prior to filing a notice of default to explore options for the borrower to avoid foreclosure, as specified. Existing law, until January 1, 2018, prohibits a mortgage servicer, mortgagee, trustee, beneficiary, or authorized agent from recording a notice of default if a foreclosure prevention alternative is approved in writing prior to the recordation of a notice of default under certain circumstances. Existing law, operative January 1, 2018, prohibits a mortgage servicer, trustee, mortgagee, beneficiary, or authorized agent from recording a notice of sale or conducting a trustee's sale while a foreclosure prevention alternative application submitted by the borrower is pending, as specified. Existing law, until January 1, 2018, prohibits a mortgage servicer, trustee, mortgagee, beneficiary, or authorized agent from recording a notice of default, notice of sale, or conducting a trustee's sale while a complete first lien loan modification application submitted by the borrower is pending, as specified. Existing law, until January 1, 2018, authorizes a borrower to bring an action for injunctive relief to enjoin a material violation of certain of these provisions if a trustee's deed of sale has not been recorded. This bill would exempt a licensed title company or underwritten title company, except when it is acting as a trustee, from liability for a violation of those provisions if it records or causes to record a notice of default or notice of sale at the request of a trustee, substitute trustee, or beneficiary, in good faith and in the normal course of its business activities.</p>
SB 347 Beall	<p><i>Youth shelters: funding</i></p> <p>The Youth Center and Youth Shelter Bond Act of 1988 makes funds from specified bond proceeds available for allocation to recipients of contracts with the Division of Juvenile Justice,</p>

Department of Corrections and Rehabilitation, for the purpose of acquiring, renovating, constructing, or purchasing equipment for a youth center or youth shelter. The act requires that the department treat funding for youth centers and youth shelters as separate programs and fund each separately. The act further requires the department to award at least 70% of the funding for youth shelters to shelters for runaway youths, and a maximum of 30% to shelters for abused and neglected children. Under the act, the state is entitled to recapture a portion of state funds from the recipient of a contract if the facility ceases to be used for youth center or youth shelter activities within a certain period of time. This bill would authorize a county to use any unexpended funds awarded to a shelter for abused and neglected children for the purpose of acquiring, renovating, constructing, or purchasing equipment for a shelter for runaway or homeless youth, and would direct the department to revise any contracts as necessary to implement this provision. The bill would also specify that, under these circumstances, a county would not be required to repay these funds. The bill would also authorize a county that is the recipient of a contract to use funds received under the contract to provide grant awards to private nonprofit entities for the acquisition, renovation, construction, or purchase of equipment for a youth shelter.

SB 488

Hueso

*Substandard housing: regulations*

Existing law specifies that any building, including any dwelling unit, shall be deemed to be a substandard building when a health officer determines that, among other things, an infestation of insects, vermin, or rodents exists to the extent that it endangers the life, limb, health, property, safety, or welfare of the public or its occupants, or there is a lack of adequate garbage and rubbish storage and removal facilities. This bill would, if an agreement does not exist with an agency that has a health officer, authorize a code enforcement officer, upon successful completion of a course of study in the appropriate subject matter as determined by the local jurisdiction, to determine whether an infestation exists or whether there is a lack of adequate garbage and rubbish removal facilities.

SB 745

Committee on  
Transportation  
and Housing

*Housing*

Existing law, the Davis-Stirling Common Interest Development Act defines and regulates common interest developments. Operative January 1, 2014, the act will be reorganized and recodified. This bill would repeal provisions of the act that are superseded by the reorganization and recodification of the act. The bill would make other conforming changes, would authorize an action that is required to be approved by a majority of a quorum of the members at a duly held meeting at which a quorum is present to, instead, be approved by a majority in a duly held election in which a quorum is represented, would revise provisions governing inconsistencies between the governing documents and the law and other inconsistencies to instead apply to conflicts, would authorize delivery of documents to the homeowner's association by specified types of mail delivery, would revise requirements for a board teleconference and the form for billing disclosures, and would prohibit cancellation fees for requests for documents, as specified. Existing law requires the lessor of a building intended for residential occupation to ensure that the inside telephone wiring meets the applicable standards of the most recent National Electrical Code. This bill would replace the reference to the National Electrical Code with the California Electrical Code. Existing law requires the State Fire Marshal to adopt regulations to control the quality and installation of fire alarm systems and devices, and prohibits the marketing, distribution, or sale of any fire alarm system or device that has not been approved by the State Fire Marshal. Existing law, commencing January 1, 2014, requires a smoke alarm to meet prescribed requirements, including, but not limited to, the requirement that it incorporate an end-of-life feature that provides notice that the device needs to be replaced and that it, if battery operated, contain a nonreplaceable, nonremovable battery capable of powering the smoke alarm at least 10 years in order for the smoke alarm to be approved by the State Fire Marshal. Existing law authorizes the State Fire Marshal to suspend enforcement of this requirement for a period not to exceed 6 months. This bill would recast those provisions to, instead, require commencing

July 1, 2014, a smoke alarm that is only battery operated to contain a nonreplaceable, nonremovable battery capable of powering the smoke alarm for at least 10 years in order to be approved by the State Fire Marshal. The bill would also require, commencing January 1, 2015, a smoke alarm to display the manufacture date, provide a place to write the date of installation on the device, and incorporate a hush feature in order for the State Fire Marshal to approve it. The bill would delete the authority for the State Fire Marshal to suspend enforcement of these requirements, and would authorize the State Fire Marshal to adopt exceptions through its regulatory process.



## Immigration

### AB 4 *State government: federal immigration policy*

Ammiano Existing federal law authorizes any authorized immigration officer to issue an immigration detainer that serves to advise another law enforcement agency that the federal department seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien. Existing federal law provides that the detainer is a request that the agency advise the department, prior to release of the alien, in order for the department to arrange to assume custody in situations when gaining immediate physical custody is either impracticable or impossible. This bill would prohibit a law enforcement official, as defined, from detaining an individual on the basis of a United States Immigration and Customs Enforcement hold after that individual becomes eligible for release from custody, unless, at the time that the individual becomes eligible for release from custody, certain conditions are met, including, among other things, that the individual has been convicted of specified crimes.

### AB 35 *Deferred action for childhood arrivals*

Roger Hernández (1) Under existing federal law, the Secretary of the Department of Homeland Security has issued a directive allowing certain undocumented individuals who meet several key criteria for relief from removal from the United States or from entering into removal proceedings to be eligible to receive deferred action for a period of 2 years, subject to renewal, and who will be eligible to apply for work authorization. Existing law provides for the regulation of immigration consultants by the Department of Consumer Affairs, the licensure and regulation of attorneys by the State Bar of California, and the commission of notaries public by the Secretary of State. A violation of certain of these provisions is a crime. This bill would provide that immigration consultants, attorneys, notaries public, and organizations accredited by the United States Board of Immigration Appeals shall be the only individuals authorized to charge clients or prospective clients a fee for providing services associated with filing an application under the deferred action program. The bill also would prohibit immigration consultants, attorneys, notaries public, and organizations accredited by the United States Board of Immigration Appeals from participating in practices that amount to price gouging, as defined, when a client or prospective client solicits these services. By expanding the definition of a crime, this bill would impose a state-mandated local program. (2) Commencing January 1, 2013, state law provides that any federal document demonstrating favorable action by the federal government for acceptance of a person into this deferred action program shall satisfy specified requirements for the purposes of being authorized to receive an original driver's license from the Department of Motor Vehicles, as described. This bill would provide that these provisions also apply for the purposes of being authorized to receive a California identification card. (3) Existing law provides for unemployment compensation benefits to eligible persons who are unemployed through no fault of their own. Existing law establishes the Unemployment Fund, a continuously appropriated fund, for the receipt of employer contributions and the payment of employment compensation benefits. Existing law makes it a crime for a person to commit various acts, including making or signing a false statement or supplying false information in connection with obtaining unemployment benefits, as specified. Existing law provides that unemployment compensation benefits, and other related benefits, as specified, shall not be payable on the basis of services performed by a person who is not a citizen of the United States, unless that person is an individual who was lawfully admitted for permanent residence at the time the services were performed, was lawfully present for purposes of performing the services, or was permanently residing in the United States under color of law at the time the services were performed. This bill would provide that, to the extent authorized by federal law, if a person has received a notice of decision from the federal government granting deferred action under the federal Deferred Action for Childhood Arrivals program and if that person performed the services while he or she was in receipt of a valid employment authorization from the federal government, he or she is a person who was lawfully present for purposes of performing the services and is eligible for

unemployment compensation benefits, as specified. (4) The bill would state that the provisions of the bill are declarative of existing law.

AB 60  
Alejo

*Driver's licenses: eligibility: required documentation*

(1) Existing law requires the Department of Motor Vehicles (DMV) to require an applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law. Existing law prohibits the department from issuing an original driver's license or identification card to a person who does not submit satisfactory proof that his or her presence in the United States is authorized under federal law. This bill would require the department to issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure and provides satisfactory proof to the department of his or her identity and California residency. The bill would require the department to adopt emergency regulations, in consultation with appropriate interested parties, as prescribed, to implement those provisions, including identifying documents acceptable for the purposes of providing identity and California residency and procedures for verifying the authenticity of the documents. The bill would require the department to accept various types of documentation for this purpose. The bill would require a license issued pursuant to those provisions, including temporary licenses, to include on the front of the card a recognizable feature and a specified notice. The bill would authorize the department to modify these licenses if these licenses do not meet federal requirements. The bill would provide that information collected pursuant to those provisions is not a public record and shall not be disclosed by the department, except as required by law. This bill would make it a violation of law to discriminate against an individual because he or she holds or presents a license issued under these provisions. The bill would require, on or before January 1, 2018, the California Research Bureau to compile and submit to the Legislature and the Governor a report that, among other things, includes instances when these licenses are used to discriminate against an individual. The bill would provide that a person applying for a license pursuant to these provisions may be required to pay, only until June 30, 2017, an additional fee to offset the reasonable administrative costs of implementing these provisions. The bill would make other technical and conforming changes. (2) Existing law requires the department to require an application for a driver's license to contain the applicant's social security number and any other number or identifier determined to be appropriate by the department. Existing law authorizes an applicant who provides satisfactory proof that his or her presence in the United States is authorized under federal law, but who is not eligible for a social security number, to receive an original driver's license if he or she meets all other requirements for licensure. This bill would authorize an applicant who is unable to provide satisfactory proof that his or her presence in the United States is authorized under federal law to sign an affidavit attesting that he or she is both ineligible for a social security number and unable to submit satisfactory proof that his or her presence in the United States is authorized under federal law in lieu of submitting a social security number. The bill would prohibit the use of this information to consider an individual's citizenship or immigration status as a basis for a criminal investigation, arrest, or detention. This bill would make these changes operative on January 1, 2015, or on the date the director of the department executes a specified declaration, whichever is sooner. The bill would make these provisions inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any of these provisions, or their application, are enjoined, found unconstitutional, or held invalid for any reason. The bill would require the department to post this information on its Internet Web site. This bill would state that its provisions do not authorize an individual to apply for, or be issued, a commercial driver's license without submitting his or her social security account number with his or her application.

AB 263  
Roger

*Employment: retaliation: immigration-related practices*

Existing law prohibits an employer from discharging an employee or in any manner

Hernandez discriminating against any employee or applicant for employment because the employee or applicant has engaged in prescribed protected conduct relating to the enforcement of the employee's or applicant's rights. Existing law provides that an employee who made a bona fide complaint, and was consequently discharged or otherwise suffered an adverse action, is entitled to reinstatement and reimbursement for lost wages. Existing law makes it a misdemeanor for an employer to willfully refuse to reinstate or otherwise restore an employee who is determined by a specified procedure to be eligible for reinstatement. This bill would also prohibit an employer from retaliating or taking adverse action against any employee or applicant for employment because the employee or applicant has engaged in protected conduct. The bill would expand the protected conduct to include a written or oral complaint by an employee that he or she is owed unpaid wages. The bill would provide that an employee who was retaliated against or otherwise was subjected to an adverse action is entitled to reinstatement and reimbursement for lost wages. The bill would subject a person who violates these provisions to a civil penalty of up to \$10,000 per violation. The bill would also provide that it is not necessary to exhaust administrative remedies or procedures in the enforcement of specified provisions. Because the willful refusal by an employer to reinstate or reimburse an employee who suffered a retaliatory action under these provisions would be a misdemeanor, the bill would expand the scope of a crime and impose a state-mandated local program. Existing law declares that an individual who has applied for employment, or who is or has been employed in this state, is entitled to the protections, rights, and remedies available under state law, regardless of his or her immigration status. Existing law declares that an inquiry into a person's immigration status for purposes of enforcing state labor and employment laws shall not be permitted, unless a showing is made, by clear and convincing evidence, that the inquiry is necessary in order to comply with federal immigration law. This bill would make it unlawful for an employer or any other person to engage in, or direct another person to engage in, an unfair immigration-related practice, as defined, against a person for the purpose of, or with the intent of, retaliating against any person for exercising a right protected under state labor and employment laws or under a local ordinance applicable to employees, as specified. The bill would also create a rebuttable presumption that an adverse action taken within 90 days of the exercising of a protected right is committed for the purpose of, or with the intent of, retaliation. The bill would authorize a civil action by an employee or other person who is the subject of an unfair immigration-related practice. The bill would authorize a court to order the appropriate government agencies to suspend certain business licenses held by the violating party for prescribed periods based on the number of violations. The bill would require the court to consider prescribed circumstances in determining whether a suspension of all licenses is appropriate. Existing law prohibits an employer from making, adopting, or enforcing any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation. Existing law further prohibits an employer from retaliating against an employee for that disclosure. Under existing law, a violation of these provisions by the employer is a misdemeanor. Existing law additionally subjects an employer that is a corporation or a limited liability company to a civil penalty not exceeding \$10,000 for each violation of these provisions. This bill would additionally prohibit any person acting on behalf of the employer from making, adopting, or enforcing any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, as provided, and from retaliating against an employee for such a disclosure. The bill would also expand the prohibited actions to include preventing an employee from, or retaliating against an employee for, providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry. The bill would provide that any person or entity that violates these provisions is guilty of a misdemeanor, and would further subject an entity that violates these provisions that is a corporation or limited liability company to a civil penalty not exceeding \$10,000 for each violation of these provisions. By expanding the scope of a crime, this bill would impose a state-mandated local program. Existing law prohibits an employer or prospective employer, with the

exception of certain financial institutions, from obtaining a consumer credit report, as defined, for employment purposes unless it is for a specified position, including, among others, a position in the state Department of Justice, a managerial position, as defined, or a position that involves regular access to \$10,000 or more of cash, as specified. This bill would prohibit an employer from discharging an employee or in any manner discriminating, retaliating, or taking any adverse action against an employee because the employee updates or attempts to update his or her personal information, unless the changes are directly related to the skill set, qualifications, or knowledge required for the job. This bill would incorporate additional changes to Section 1102.5 of the Labor Code proposed by SB 496 that would become operative if this bill and SB 496 are enacted and this bill is enacted last.

AB 524  
Mullin

*Immigrants: extortion*

Existing law defines extortion as the obtaining of property from another, with consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right. Existing law further provides that fear sufficient to constitute extortion may be induced by certain threats, including a threat to accuse the threatened individual, or his or her relative or family, of a crime. This bill would provide that a threat to report the immigration status or suspected immigration status of the threatened individual, or his or her relative or a member of his or her family, may also induce fear sufficient to constitute extortion. The bill would also specify that its provisions are intended to clarify existing law. By broadening the acts that constitute a crime, this bill would impose a state-mandated local program.

AB 1159  
Gonzalez

*Immigration services*

Existing law, the State Bar Act, provides for the licensure and regulation of attorneys by the State Bar of California, a public corporation. This bill would make it a violation of specified provisions of law relating to the unauthorized practice of law for any person who is not an attorney to literally translate from English into another language the phrases “notary public,” “notary,” “licensed,” “attorney,” “lawyer,” or any other terms that imply that the person is an attorney. The bill would prescribe penalties, not to exceed \$1,000 per day for each violation, for a person who violates these provisions. The bill would authorize these penalties to be allocated to a specified fund for purposes of providing free legal services related to immigration reform act services to clients of limited means, or to a fund for the purposes of mitigating unpaid claims of injured immigrant clients, as specified, as directed by the Board of Trustees of the State Bar. The bill would require the Board of Trustees of the State Bar to annually report any collection and expenditure of these moneys to the Assembly and Senate Committees on Judiciary. This bill would require, when a contract for legal services is required in writing pursuant to specified provisions of law, that an attorney providing immigration reform act services, as defined, provide a written notice informing the client that he or she may report complaints to specified entities. The bill would make these provisions operative when the State Bar posts the form and specified translations of the form on its Internet Web site, but no later than 45 days after the effective date of the bill. Existing law provides for the regulation of a person engaged in the business or acting in the capacity of an immigration consultant, and provides that a violation of these provisions is a crime. Existing law requires an immigration consultant to provide a client with a written contract containing specified information prior to providing services. Existing law requires an immigration consultant to file a bond of \$50,000 with the Secretary of State in accordance with specified provisions of law. This bill would, commencing July 1, 2014, increase the amount of this bond to \$100,000. The bill would require that the written contract contain additional information relating to an explanation of the purpose of each service to be performed. The bill would require an immigration consultant to establish a client trust account and to deposit in this account any funds received from the client prior to performing immigration reform act services, as defined, for that client, and would impose certain requirements relating to the expenditure of funds from this trust account. The bill would prohibit

an attorney or an immigration consultant from demanding or accepting the advance payment of any funds from a person before the enactment of an immigration reform act, as defined, and would require any funds received after the effective date of this bill, but before the enactment of an immigration reform act, to be refunded to the client promptly, but no later than 30 days after the receipt of any funds. The bill would require any funds that were received before the effective date of the bill for services not rendered before the effective date of the bill to be either refunded to the client or deposited in a client trust fund in accordance with specified provisions. The bill would prescribe penalties, not to exceed \$1,000 per day for each violation, for immigration consultants who violate these provisions. Existing law prohibits an immigration consultant from literally translating the phrase “notary public” into Spanish. This bill would provide that a violation of these provisions constitutes a violation of specified provisions of law relating to the unauthorized practice of law. The bill also would prescribe penalties, not to exceed \$1,000 per day for each violation, for immigration consultants who violate these provisions. Because a violation of these provisions by an immigration consultant would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. This bill would declare that it is to take effect immediately as an urgency statute.

SB 141  
Correa

*Postsecondary education benefits: children of deported or voluntarily departed parents*

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, the California State University, under the administration of the Trustees of the California State University, and the University of California, under the administration of the Regents of the University of California, as the 3 segments of public higher education in the state. Existing law exempts specified students from paying nonresident tuition at the California Community Colleges and the California State University. This bill would additionally exempt a student who is a United States citizen who resides in a foreign country, and who meets all of the following requirements, from nonresident tuition at the California Community Colleges and the California State University: (A) demonstrates financial need for the exemption; (B) has a parent who has been deported or was permitted to depart voluntarily; (C) moved abroad as a result of that deportation or voluntary departure; (D) lived in California immediately before moving abroad; (E) attended a public or private secondary school in the state for 3 or more years; and (F) upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, as defined, will be living in California, and will file an affidavit with the institution stating that he or she intends to establish residency in California as soon as possible. The bill would request the regents to enact regulations and procedures to exempt similarly situated students of the University of California from nonresident tuition. This bill would incorporate changes proposed by both this bill and SB 150 to the provision relating to nonresident tuition at the California Community Colleges, contingent on the prior enactment of that bill, as specified.

## Land Use and Transportation

### AB 164      *Infrastructure financing*

Wieckowski      Existing law permits a governmental agency to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and may lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law requires certain provisions to be included in the lease agreement between a governmental agency undertaking an infrastructure project and a private entity, as specified. This bill would require a lease agreement between a governmental agency undertaking an infrastructure project and a private entity to include performance bonds as security to ensure the completion of the construction of the facility and payment bonds to secure the payment of claims of laborers, mechanics, and materials suppliers employed on the work under contract.

### AB 325      *Land use and planning: cause of actions: time limitations*

Alejo      The Planning and Zoning Law requires an action or proceeding against local zoning and planning decisions of a legislative body to be commenced and the legislative body to be served within a year of accrual of the cause of action, if it meets certain requirements. Where the action or proceeding is brought in support of, or to encourage or facilitate the development of, housing that would increase the community's supply of affordable housing, a cause of action accrues 60 days after a certain notice is filed or the legislative body takes a final action in response to the notice, whichever occurs first. This bill would authorize the notice to be filed any time within 180 days after specified zoning and planning decisions, but would set a 270-day period for notice with respect to an adopted or revised housing element that is found to substantially comply with law, and a 2-year period for notice with respect to an adopted or revised housing element that is found not to substantially comply with law. This bill would also establish a 6-month limitations period for the commencement of an action or proceeding arising from a notice subject to the 270-day period, a one-year limitations period for the commencement of an action or proceeding arising from a notice subject to the 2-year period, and a 180-day limitations period for the commencement of an action or proceeding arising from a notice subject to the 180-day period. The bill would declare the intent of the Legislature to modify a specified court opinion. The bill would also provide that in an action or proceeding subject to these provisions, no remedy pursuant to specified provisions of law shall abrogate, impair, or otherwise interfere with the full exercise of the rights and protections granted to a tentative map application or a developer, as prescribed. The bill would make further conforming changes.

### AB 401      *Transportation: design-build: highways*

Daly      Existing law, until January 1, 2014, authorizes certain state and local transportation entities, if authorized by the California Transportation Commission, to use a design-build process for contracts on transportation projects, as specified. Existing law establishes a procedure for submitting bids that includes a requirement that design-build entities provide a statement of qualifications submitted to the transportation entity that is verified under oath, subject to penalty of perjury. This bill would authorize the Department of Transportation to utilize design-build procurement for up to 10 projects on the state highway system, based on either best value or lowest responsible bid. The bill would authorize regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. The bill would also authorize those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. The bill would repeal these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its Internet Web site that the provisions related to the construction inspection services of these projects are invalid. The bill would provide that these design-build authorizations do not include construction inspection services for projects on or interfacing with the state highway system. The bill would require the Department of Transportation to perform

construction inspection services for projects on or interfacing with the state highway system, as specified. The bill would require a transportation entity, as defined, awarding a contract for a public works project pursuant to these provisions, to reimburse the Department of Industrial Relations for costs of performing prevailing wage monitoring and enforcement of the public works project and would require moneys collected to be deposited into the State Public Works Enforcement Fund, a continuously appropriated fund. By depositing money in a continuously appropriated fund, the bill would make an appropriation.

AB 417      *Environmental quality: California Environmental Quality Act: bicycle*  
Frazier      *transportation plan*

The California Environmental Quality Act, known as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, known as an EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the lead agencies to make specified findings in an EIR. Existing law authorizes a local agency that determines that a project is not subject to CEQA pursuant to certain exemptions and approves or determines to carry out that project, to file notice of the determination with the county clerk in the county in which the project is located. Existing law establishes the Office of Planning and Research, known as OPR, in the Governor's office. Existing law requires OPR to assist with, among other things, the orderly preparation of programs of transportation. This bill, until January 1, 2018, would exempt from CEQA a bicycle transportation plan for an urbanized area, as specified, and would also require a local agency that determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with the OPR and the county clerk. Existing law exempts from CEQA a project that consists of the restriping of streets and highways for bicycle lanes in an urbanized area, as provided. Existing law requires a lead agency to, among other things, prepare an assessment of any traffic and safety impacts of the project and include measures in the project to mitigate potential vehicular traffic impacts and bicycle and pedestrian safety impacts. This bill would provide the preparation of the assessment described above doesn't apply if certain conditions are met.

AB 466      *Federal transportation funds*  
Quirk-      Existing law provides for the allocation of certain federal transportation funds apportioned to the  
Silva      state between state purposes administered by the Department of Transportation and local and  
regional purposes administered by various regional agencies, including funds made available  
under the federal Congestion Mitigation and Air Quality Improvement Program, as specified.  
This bill would require the department to allocate federal funds to regional agencies under the  
federal Congestion Mitigation and Air Quality Improvement Program based on a weighted  
formula that considers population and pollution in a given area, as specified.

AB 1070      *California Transportation Financing Authority*  
Frazier      The California Transportation Financing Authority Act creates the California Transportation  
Financing Authority, with specified powers and duties relative to issuance of bonds to fund  
transportation projects to be backed, in whole or in part, by various revenue streams of  
transportation funds, and toll revenues under certain conditions, in order to increase the  
construction of new capacity or improvements for the state transportation system consistent with  
specified goals. Existing law, subject to certain conditions, authorizes the authority to grant a  
request that a project sponsor, rather than the authority, be the issuer of the bonds. This bill

would revise the act to further define the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds, and would define “issuer” in that regard. The bill would make other related changes.

AB 1112      *Transportation transactions and use taxes: Bay Area*

Ammiano      The Bay Area County Traffic and Transportation Funding Act authorizes the formation of county transportation authorities in each of the 9 Bay Area counties, and provides for the imposition of a retail transaction and use tax of either 1/2 of 1% or 1%, subject to voter approval, with revenues to be used for various transportation purposes. Existing law, however, limits the total rate of tax that may be imposed in a county under these provisions and under the Transactions and Use Tax Law to 1%. This bill would delete this limitation.

SB 99      *Active Transportation Program*

Committee      Existing law establishes various transportation programs and associated funds and accounts, on Budget      including the Bicycle Transportation Account, the Bikeway Account, and the Safe Routes to and Fiscal      School Program. Existing federal law, pursuant to the Moving Ahead for Progress in the 21st Review      Century Act, reconstitutes various federal transportation funding programs, including the former Transportation Enhancements Program, and creates the new federal Transportation Alternatives Program comprised of various former separate programs. This bill would create the Active Transportation Program in the Department of Transportation, to be funded in the annual Budget Act from specified federal and state transportation funds, including 100% of the available federal Transportation Alternatives Program funds and federal Recreational Trails Program funds, except as specified, \$21,000,000 of federal Highway Safety Improvement Program funds or other federal funds, a specified amount of fuel tax revenues from the Highway Users Tax Account and the State Highway Account, and from other available funds. The bill would provide for funds to be allocated to eligible projects by the California Transportation Commission, with 40% of available funds to be made available for programming by metropolitan planning organizations in urbanized areas with a population greater than 200,000, 10% for small urban and rural regions, and 50% on a statewide basis, with all awards to be made competitively, as specified. The bill would include among the authorized activities for the Active Transportation Program certain existing activities funded by the above-referenced programs and accounts. The bill would also add new authorized activities, as specified. The bill would require the commission to develop guidelines and procedures, including project selection criteria, for the program in consultation with various agencies and interested parties. The bill would require the commission to initially adopt a 2-year program of projects for the program, with subsequent 4-year programs thereafter. The bill would correspondingly eliminate the Bicycle Transportation Account, the Bikeway Account, and the Safe Routes to School Program as separate programs. The bill would require the Commission, no later than 45 days prior to adopting the initial set of final guidelines for the Active Transportation Program, to submit the draft guidelines to the Joint Legislative Budget Committee. This bill would provide that no additional funds shall be transferred to the Bicycle Transportation Account. The bill would transfer the remaining assets and liabilities of the Bicycle Transportation Account and the Bikeway Account to the State Highway Account on July 1, 2014, and would provide that various provisions governing these programs become inoperative on July 1, 2014, and would be repealed on January 1, 2015. Existing law creates the Environmental Enhancement and Mitigation Program Fund, and states the intent of the Legislature to allocate \$10,000,000 annually to the fund, for expenditure on grants to specified agencies and nonprofit entities for various types of projects that are directly or indirectly related to the environmental impact of transportation facilities, including, among other things, highway landscaping and roadside recreational opportunities. This bill would instead state the intent of the Legislature to allocate \$7,000,000 annually to the fund, and would delete the reference to projects for highway landscaping and roadside recreational opportunities. The bill would appropriate \$10,000,000 from the Environmental Enhancement and Mitigation Program Fund to the Secretary of the



Natural Resources Agency for grants awarded by the secretary to support local environmental enhancement and mitigation programs. This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

**SB 341**      *Redevelopment*

DeSaulnier

(1) Existing law dissolved redevelopment agencies and community development agencies, and provides for the designation of successor agencies that are required to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined. Existing law provides that the city, county, or city and county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency. Existing law requires the entity assuming the housing functions of the former redevelopment agency to perform various functions. This bill would change provisions relating to the functions to be performed by the entity assuming the housing functions of the former redevelopment agency to instead refer to the housing successor. (2) Existing law provides that any funds transferred to the city, county, or city and county or the entity assuming the housing functions of the former redevelopment agency, together with any funds generated from housing assets, shall be maintained in a separate Low and Moderate Income Housing Asset Fund which shall be used in accordance with applicable housing-related provisions of the Community Redevelopment Law, as specified. This bill would provide that funds in the Low and Moderate Income Housing Asset Fund shall be used in accordance with applicable housing-related provisions of the Community Redevelopment Law, except as specified. The bill would require the housing successor to expend funds in the Low and Moderate Income Housing Asset Fund, other than those expended to meet enforceable obligations, for the purpose of monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor, for homeless prevention and rapid rehousing services to individuals and families who are homeless or would be homeless but for this assistance, and for the development of affordable housing, as specified. (3) Existing law requires that moneys in the Low and Moderate Income Housing Fund be used to assist housing for persons of low income and housing for persons of very low income in at least the same proportion as the total number of housing units needed for each of those income groups bears to the total number of units needed for persons of moderate, low, and very low income within the community, as specified. This bill would provide that these provisions shall not apply, and would instead require that if the aggregate number of units of deed-restricted rental housing restricted to seniors and assisted by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years exceeds 50% of the aggregate number of units of deed-restricted rental housing assisted by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period, then the housing successor shall not expend these funds to assist additional senior housing units until the housing successor or its host jurisdiction assists, and construction has started on, a number of units available to all persons regardless of age that is equal to 50% of the aggregate number of units of deed-restricted rental housing units assisted by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period. (4) Existing law requires that a specified percentage of all taxes that are allocated to a former redevelopment agency be used outside a specified project area upon a resolution of the agency and the legislative body that the use will be of benefit to the project. This bill would provide that program income a housing successor receives shall not be associated with a project area and may be expended anywhere within the jurisdiction of the housing successor or transferred for the purpose of developing transit priority projects, permanent supportive housing, housing for agricultural employees, or special needs housing, without a finding of benefit to a project area, as specified. The bill would also authorize 2 or more housing successors, as specified, to agree to transfer funds among their respective Low and Moderate Income Housing Asset Funds, as specified. (5) Existing law provides that if excess surplus accumulates in the Low and Moderate Income Housing Fund, the

former redevelopment agency may adopt a plan for expenditure of the moneys. Existing law also requires that upon failure of the former redevelopment agency to expend or encumber excess surplus in the Low and Moderate Income Housing Fund, it shall be required to disburse, expend, or encumber its excess surplus, as specified. This bill would provide that these provisions shall not apply, and would instead provide that if a housing successor has an excess surplus, the housing successor shall encumber the excess surplus for specified purposes or transfer the funds within 3 fiscal years. The bill would provide that if the housing successor fails to comply with this subdivision, the housing successor, within 90 days of the end of the 3rd fiscal year, shall transfer any excess surplus to the Department of Housing and Community Development for expenditure pursuant to the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program. (6) Existing law requires a former redevelopment agency, for each interest in real property acquired using moneys from the Low and Moderate Income Housing Fund, to, within 5 years from the date it first acquires the property interest for the development of housing affordable to persons and families of low and moderate income, initiate activities consistent with the development of the property for that purpose. Existing law provides that in the event that physical development of the property for this purpose has not begun by the end of a specified time period, or if the former redevelopment agency does not comply with this requirement, the property shall be sold and the moneys from the sale, less reimbursement to the agency for the cost of the sale, shall be deposited in the Low and Moderate Income Housing Fund. This bill would provide that these provisions shall not apply to interests in real property acquired on or after February 1, 2012, and that with respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the specified time periods shall be deemed to have commenced on the date that the Department of Finance approved the property as a housing asset. (7) Existing law requires every former redevelopment agency to submit the final report of any audit undertaken and an annual report to its legislative body, as specified. Existing law also requires the Controller to compile and publish annually reports of the financial transactions of each former community redevelopment agency, to make the data available to the Legislature and its agents upon request, and to publish this information for each project area of each redevelopment agency. This bill would provide that these provisions shall not apply and, instead, would require the housing successor to conduct and provide to its governing body an independent financial audit of the Low and Moderate Income Housing Asset Fund. It would also require the housing successor to post specified information on its Internet Web site.

**SB 788**

Committee on  
Transportation  
and Housing

*Transportation*

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities. This bill would define the term “highway” for these purposes. (2) Existing law requires that on July 1 of each succeeding year, the prepayment rate of the retail sales tax per gallon for aircraft jet fuel, rounded to the nearest \$0.005, be established by the State Board of Equalization based upon 80% of the combined state and local sales tax rate, as specified, on the arithmetic average selling price, excluding sales and state excise taxes, as determined by the board. Existing law requires the board to make its determination of the rate no later than March 1 of the year prior to the effective date of the new rate. Existing law requires that immediately upon making its determination and setting of the rate, the board must each year, no later than May 1, notify every supplier, wholesaler, and retailer of aircraft jet fuel. Existing law permits the board to readjust the rate in the event the price of aircraft jet fuel decreases or increases, and the established rate results in prepayments that consistently exceed or are significantly lower than the retailers’ sales

tax liability. This bill would revise the provision that requires the board to make its determination of the rate no later than March 1 of the year prior to the effective date of the new rate, and instead would require this determination to be made no later than March 1 of the same year as the effective date of the new rate. The bill would make other conforming changes. (3) Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies. This bill would authorize the commission to relinquish portions of State Highway Routes 68, 74, and 86 to local agencies under certain conditions. This bill would also authorize the commission to relinquish a portion of State Highway Route 25 in the City of Hollister to that city prior to relocation of that route to a proposed new easterly bypass alignment, under certain conditions, and would thereafter require the commission to adopt the new bypass alignment into the state highway system, as specified. This bill would revise the descriptions of certain authorized state highway routes to reflect implementation of previously authorized relinquishments. This bill would repeal an existing requirement that the City of Auburn ensure the continuity of traffic flow, including any traffic signal progression, on a former portion of State Highway Route 49 previously relinquished to it. The bill would make other related changes. (4) Existing law defines “bikeway” for certain purposes to mean all facilities that provide primarily for bicycle travel. Existing law categorizes bikeways into 3 classes of facilities. This bill would make various modifications to these provisions. (5) Existing law defines the terms “logging dolly,” “logging vehicle,” “station wagon,” and “schoolbus accident” for purposes of the Vehicle Code. This bill would renumber certain of these provisions and revise the definitions of logging dolly, station wagon, and schoolbus accident. (6) Existing law authorizes the Department of Motor Vehicles to issue various specialized license plates, including license plates commemorating the Olympics. Existing law also provides for the issuance of substitute or duplicate Olympic license plates under certain conditions, and for issuance of Olympic plates as environmental license plates with a special series of letters or numbers. Existing law allows an existing holder of Olympic license plates to renew them or transfer them to another vehicle. This bill would provide that substitute or duplicate Olympic license plates shall not be available beginning on January 1, 2014. The bill would provide for the department to issue regular series plates whenever holders of Olympic plates request substitute or duplicate plates, and, in that regard, would also authorize holders of Olympic plates issued as environmental license plates to apply for other special license plates to be issued with the same combination of letters or numbers as appear on their Olympic plates. The bill would make other conforming changes. (7) Existing law provides for certain revenues derived from Olympic license plates to be deposited in the California Olympic Training Account in the General Fund. Existing law requires the Controller to annually transfer the moneys in that account to the General Fund. This bill would instead provide for deposit of those revenues directly into the General Fund. (8) Existing law also authorizes the Department of Motor Vehicles to issue specialized license plates for veterans’ associations and to fund child health and safety programs. Existing law requires payment of an additional specified charge for personalization of these plates. This bill would provide that these specialized license plates are not subject to the payment of another charge generally applicable to personalization of license plates. (9) Existing law prohibits a person from employing, hiring, knowingly permitting, or authorizing any person to drive a motor vehicle owned by him or her or under his or her control upon the highways unless that person is licensed for the appropriate class of vehicle to be driven. Existing law requires that whenever a person fails to qualify, on reexamination, to operate a commercial motor vehicle, an employer shall report that failure to the Department of Motor Vehicles within 10 days. Existing law requires that, until January 30, 2014, if a driver has no medical certification status information in the Commercial Driver License Information System motor vehicle record obtained from the driver’s state licensing agency, the employing motor carrier may accept as proof of medical certification a medical examiner’s certificate

issued to that driver prior to January 30, 2012. Existing law, operative January 1, 2014, requires an employer to obtain from a driver required to have a commercial driver's license or commercial endorsement a copy of the driver's medical certification before allowing the driver to operate a commercial motor vehicle. Existing law requires the employer to retain the certification as part of a driver qualification file. This bill would change the provision with an operative date of January 1, 2014, to instead become operative on January 30, 2014. (10) Existing law allows an individual convicted of a traffic offense to attend a traffic violator school course under certain circumstances. Completion of the course results in confidentiality of the conviction on the driving record, except in the case of an individual with a commercial driver's license, in which case completion of the course results in a nonconfidential conviction with no violation points on the driving record. Existing law requires the courts, in a courtesy notice sent to a driver with a traffic citation, to include specified information on the effect on the driving record of attending a traffic violator school course. This bill would revise the text of the required courtesy notice to reflect the distinction between noncommercial and commercial driver's licenses.